

force in consonance with the reduced numbers of Bomarc to be deployed and with other existing air defense weapons.

A twofold objective guided all planning in this repositioning and reequipping of fighters. The first objective was to insure maximum defense capability along the most probable attack routes toward the most important national strategic targets. The second was to provide a rough equivalence in all areas of the United States as regards the relationship between weapons available, strategic targets to be defended, and enemy attack capabilities. This planning involves reducing the total number of weapons previously located in certain of the States and in other areas of the North American continent, as well as reequipping certain fighter-interceptor squadrons with aircraft of improved performance. The planned changes in the manned fighter-interceptor force may be summarized as follows:

REPOSITIONING

(a) Movement of three squadrons to different bases.

(b) Inactivation of six squadrons and transferring their aircraft and equipment to the Air National Guard or other Regular Air Force squadrons.

REEQUIPPING

(a) Replacing the aircraft in nine Regular Air Force and seven Air National Guard squadrons with aircraft of higher performance.

(b) Increasing the number of aircraft in four squadrons to provide greater defense

capability in the areas where these squadrons are located.

One of the major portions of our air defense system is the ground environment, that is, the radar, radio and computer devices which are employed for detection and identification of hostile aircraft and for control of our defense missiles and fighter-interceptors. As you are aware, the revision of our previous air defense plan as presented to the Congress in March of this year included many changes in this ground environment. Specifically, we recommended cancellation of the SAGE supercombat center program and certain modifications in the original SAGE 1 program. This reorientation of our semiautomatic control centers made it necessary to revise our previous plans for deployment of radars. Certain radars which were required to support our SAGE supercombat centers now are either not required or contribute very little to the overall command and control system. Included among these radars which are no longer required are sites which have previously been in operation as well as those which were planned but have not yet been constructed.

The Air Force expects to shut down the radar equipment at 13 of these stations within the next 12 months, and to cancel plans for another station not yet constructed.

Let me say in conclusion that no man—in the Congress, in the White House or in the Pentagon—can tell with certainty whether our Defense Establishment is ade-

quate at any given moment to meet and completely defeat every possible combination of assaults that might be made on us. We simply do the best we can, on the basis of the best available advice and planning, to keep the country as strong and as alert as possible within the means available for a long and continuing effort.

In this connection, I am glad to say that no authorization bill passed by the Armed Services Committee of the Senate since the start of the cold war has ever failed to get adequate funds from the Appropriations Committee on which I serve. I mentioned earlier some examples in which additional funds were made available for particular programs that seemed vital in our judgment.

I am informed that, starting next year, the Armed Services Committee will enter still more fully into the area of authorizing legislation on the procurement of aircraft, missiles, and vessels as part of its plan to oversee more closely than even before the area of military policy planning. This undoubtedly will permit the Appropriations Committee to work in still closer harmony with the Defense Establishment and the Armed Services Committee.

I can assure you that the elimination of waste and inefficiency in the procurement of items ranging from aircraft carriers to paper clips will continue to be a major concern of the Congress, but no price tag will be placed upon our security and the Congress can be depended upon to appropriate sufficient funds to maintain our present military superiority.

SENATE

TUESDAY, AUGUST 9, 1960

The Senate met in executive session at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who strengthenest the hearts of men, with the weariness of the world upon us, with burdens that are too great for us to carry alone, we need Thee every hour, most gracious Lord. No other voice save Thine can peace afford.

In all the deafening distractions of these days, keep our hearts, we pray, so close to Thee that by the vision of the vast sweep of Thy purpose we may be delivered from the sting of irritating trifles and be less disturbed by the petty annoyances of demanding duties which lay their claims upon us day by day.

Thus with the pressing affairs of state draining the endurance of those who here would be Thy ministers for the healing of the nations, for this hallowed moment we would lift our eyes above weariness and worry and world confusion to Thyself, who art peace and rest, forgiveness and renewal, challenge and inspiration, hope and joy.

So, with our differing needs, meet each of us, we beseech Thee, as Thou dost come down Thy secret stairs into each life. Send us to our tasks saying of Thee—as men and women such as we have said across the centuries—"He restoreth my soul."

We ask it in the spirit of the Redeemer. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the legislative proceedings of Monday, August 8, 1960, was approved without reading.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting several nominations, which was referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. I ask unanimous consent that, as in legislative session, there be the usual morning hour for the introduction of bills and the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF SECRETARY OF DEFENSE

A letter from the Acting Secretary of Defense, transmitting, pursuant to law, a report of the Secretary of Defense, for the fiscal year 1959 (with an accompanying report); to the Committee on Armed Services.

REPORT OF FEDERAL BUREAU OF NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Federal Bureau of Narcotics entitled "Traffic in Opium and Other Dangerous Drugs," for the calendar year ended December 31, 1959 (with an accompanying report); to the Committee on Finance.

REPORT ON REVIEW OF PROCUREMENT OF AN EXPERIMENTAL CANCER DRUG BY NATIONAL INSTITUTES OF HEALTH

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the procurement of 5-Fluorodeoxyuridine, an experimental cancer drug by National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare, October 1959 (with an accompanying report); to the Committee on Government Operations.

RESOLUTION IN SUPPORT OF ANDERSON-HUMPHREY-McCARTHY AMENDMENT TO SOCIAL SECURITY ACT

Mr. HUMPHREY. Mr. President, the president and certain members of the Hotel and Restaurant Employees Union, Local No. 556, of St. Paul, Minn., have submitted to me a resolution in support

of Senator ANDERSON's medical care amendment to the Social Security Act which I joined in cosponsoring.

Mr. President, I ask unanimous consent that this resolution be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

HOTEL AND RESTAURANT
EMPLOYEES UNION,
LOCAL NO. 556,

St. Paul, Minn., August 3, 1960.

Hon. HUBERT H. HUMPHREY,
U.S. Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: We, the undersigned citizens and voters of Minnesota, respectfully urge our U.S. Senators to renew and redouble their efforts to obtain passage of genuine and meaningful health care for the aged legislation during the August recess session of the current Congress.

We feel that the Anderson amendment, introduced June 30 by Senator CLINTON P. ANDERSON, joined by Senators HUMPHREY and MCCARTHY, should be adopted by the Senate Finance Committee, or, failing that, by floor amendment.

We believe that the Anderson amendment has not only the best chance—but probably the only chance of enactment by the Senate and by the House during the few remaining weeks of the current session.

LEONARD JOHNSON,

Secretary.

LESTER K. NELSON,

President.

ROBERT HOSTRAWER,

Vice President.

DOMINIC ROCCO.

ERNEST J. LEGATO.

MARLENE SCAPANSKI.

MARCELLA E. FERRIN.

BILLS INTRODUCED

The following bill was introduced, read the first time by its title, and, pending second reading, was ordered to lie on the table:

By Mr. DIRKSEN (for himself, Mr. SCOTT, Mr. CASE of New Jersey, Mr. KEATING, Mr. JAVITS, Mr. FONG, Mr. MORTON, Mr. ALLOTT, Mr. WILEY, Mr. KUCHEL, and Mr. COOPER):

S. 3823. A bill to amend the Civil Rights Act of 1960 in order to establish a Commission on Equal Job Opportunity Under Government Contracts, and to authorize assistance to State and local educational agencies to effectuate desegregation in public schools.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

The following bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GORE:

S. 3824. A bill for the relief of Haruo T. Hendricks; to the Committee on the Judiciary.

By Mr. WILEY:

S. 3825. A bill for the relief of Andreas Gommermann and his wife, Dora Gommermann, and their two children, Richard Gommermann and Norbert Gommermann; to the Committee on the Judiciary.

By Mr. BUSH:

S. 3826. A bill for the relief of Dr. William Kuo-Wei Chen; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3827. A bill for the relief of the survivors of Gerald E. Splinter; to the Committee on Finance.

By Mr. PASTORE:

S. 3828. A bill to limit the term "waterproof" when applied to cotton cloth or fabric; to the Committee on Finance.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

AUTHORIZATION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO INVESTIGATE CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. MAGNUSON submitted the following resolution (S. Res. 354), which was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 243, agreed to March 24, 1960, authorizing the Committee on Interstate and Foreign Commerce to investigate certain matters within its jurisdiction, is amended on page 3, line 5, by striking out "\$291,595" and inserting in lieu thereof "\$303,120".

STUDY OF TRANSPORTATION POLICIES IN UNITED STATES

Mr. MAGNUSON submitted the following resolutions (S. Res. 355), which was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 244, agreed to March 24, 1960, as amended by Senate Resolution 328, agreed to June 28, 1960, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of transportation policies in the United States, is amended on page 4, line 5, by striking out "\$269,100" and inserting in lieu thereof "\$282,400".

STUDY OF USES OF GOVERNMENT LICENSED MEDIA FOR THE DISSEMINATION OF POLITICAL OPINIONS, NEWS, AND SO FORTH

Mr. MAGNUSON submitted the following resolution (S. Res. 356), which was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 305, agreed to June 14, 1960, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and advertising, is amended on page 3, line 13, by striking out "\$35,000" and inserting in lieu thereof "\$36,500".

INTERNATIONAL FOOD AND RAW MATERIALS RESERVE

Mr. HUMPHREY submitted a resolution (S. Res. 357) relative to the establishment of an International Food and Raw Materials Reserve, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—AMENDMENTS

Mr. CHAVEZ (for himself and Mr. ANDERSON) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, which were ordered to lie on the table and to be printed.

SOCIAL SECURITY AMENDMENTS OF 1960—AMENDMENTS

Mr. HARTKE submitted amendments, intended to be proposed by him, to the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

NOTICE OF HEARING ON NOMINATIONS OF ROBERT NEWBEGIN TO BE AMBASSADOR TO HAITI, CHARLES R. BURROWS TO BE AMBASSADOR TO HONDURAS, AND FREDERIC P. BARTLETT, TO BE AMBASSADOR TO THE MALAGASY REPUBLIC

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Foreign Relations, I desire to announce that the Senate today received the nominations of Robert Newbegin, of New Hampshire, to be Ambassador to Haiti, Charles R. Burrows, of Ohio, to be Ambassador to Honduras, and Frederic P. Bartlett, of New York, to be Ambassador to the Malagasy Republic.

In accordance with the committee rule, the pending nominations may not be considered prior to the expiration of 6 days.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Recent statement by him regarding the need for further improving the small business outlook.

Letter of recent date from him to the Secretary of Commerce urging a comprehensive study toward improving and expanding trade and commerce through the St. Lawrence Seaway.

CIVIL RIGHTS

Mr. DIRKSEN. Mr. President, in the message which the President sent to us on yesterday, he had the following to say on the subject of civil rights:

Only one major measure—civil rights—had then been passed, and this had two major deletions which I hope will now be restored in keeping with the bipartisan support evidenced for these items last month.

In pursuance of that and in pursuance of the expressed hope of the President that these two items, which appeared in the original package bill which I introduced on the 15th of February, will now be restored, I am now prepared, Mr. President, to submit those two items as an amendment to the civil rights bill. They are quite well known, I think, to every Member of the Senate.

The first one deals with the Commission on Equal Job Opportunity under Government Contracts. That is old ground; we have plowed it many times. Today the Commission exists by virtue of an Executive order. It gets its funds by allocation from the effective agencies dealing with Federal contracts. This measure would give the Commission statutory authority, and would make it possible for Congress then to appropriate out of the Treasury for the work of the Commission. But I should make it clear that the Commission can continue notwithstanding that that statutory authority does not exist.

The second section of the bill provides for assistance to State and local educational agencies. It provides not only technical and nonteaching assistance, but also financial assistance to States and localities and to local school districts. All this has been freely discussed.

Mr. President, I now introduce the bill with two titles, which are the deletions out of the original civil-rights package, and ask for the first reading of the bill.

The VICE PRESIDENT. The bill will be read by title.

The bill (S. 3823) to amend the Civil Rights Act of 1960 in order to establish a Commission on Equal Job Opportunity under Government Contracts, and to authorize assistance to State and local educational agencies to effectuate desegregation in public schools, introduced by Mr. DIRKSEN (for himself, Mr. SCOTT, Mr. CASE of New Jersey, Mr. KEATING, Mr. JAVITS, Mr. FONG, Mr. MORTON, Mr. ALLOTT, Mr. WILEY, Mr. KUCHEL, and Mr. COOPER, was read the first time by its title.

Mr. RUSSELL. Mr. President, as I understand, under the unanimous-consent agreement, the Senator from Illinois as a matter of right may introduce this bill for the first reading.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Does the Chair hold that the reading which has been had at the desk is a compliance with the rule?

The VICE PRESIDENT. Yes.

Mr. RUSSELL. That is compliance with the rule?

The VICE PRESIDENT. Yes.

Mr. RUSSELL. The Senator has a right to introduce the bill, despite its

rather checkered history in the past and the part the distinguished Senator played on the opposite side of the issue when we were in session here just a few scant weeks ago.

Mr. DIRKSEN. Mr. President, on that point I must freely confess to the distinguished Senator from Georgia my sins of omission and commission. Being something of a realist, in that rather long 8-week tour de force I recognized full well that if we were to get a bill, one had to retreat somewhat from his position. I offer no apology for it; I freely confess it at this time, in the interest of consummating a bill.

But here is the request in the special message of the President, submitted to us on the first day the Senate convened in this session. In that message the President expresses the hope that these deletions will be restored. So the proposal I offer for first reading contains only those two provisions, and nothing more. It is not designed to embarrass anyone; rather, it is designed to carry out the program manifested by the President many, many months ago in this field.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. RUSSELL. Does the Senator from Illinois have any reason to expect that the interest of the President in these provisions will be any deeper than it was when they were first brought up?

Mr. DIRKSEN. No, Mr. President, the interest of the President of the United States has in no particular been modified. Like myself, I think he is a realist. When one cannot get a whole loaf, one gets whatever bread he can. Then, if he is impelled by conviction, he undertakes to get the rest of the loaf. That is precisely what is being endeavored at the present time.

Mr. RUSSELL. Mr. President, I did not hear the Chair refer the bill to committee. Has the Chair done so?

The VICE PRESIDENT. The bill has not yet been read the second time, and therefore has not been referred.

Is there objection to the second reading of the bill?

Mr. DIRKSEN. Mr. President, I ask for the second reading of the bill.

The VICE PRESIDENT. The second reading of the bill is requested.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. After the second reading, will the bill be referred as a matter of course?

The VICE PRESIDENT. Under the rule, the bill would then be referred, as a matter of course, unless some other step were taken by action of the Senate.

Mr. RUSSELL. I wonder whether the distinguished Senator from Illinois, who often states his willingness to confess his sins of omission or commission or otherwise, will be gracious enough to advise as to whether he has any objection to having the bill referred.

Mr. DIRKSEN. I would prefer that the bill not be referred. I hope the bill will go to the calendar.

So I ask for the second reading. But, under the rule, I think there could be objection to the second reading, if any Senator sought to object.

Mr. RUSSELL. I am well aware of the rights I have under the rules, up to this stage of the proceedings. I do not know what the Chair might hold from here on. But up to this stage of the proceedings, I am thoroughly familiar with my rights under the rules and under the precedents.

Mr. President, I feel that I must reserve an objection to the request for a second reading in view of the statement of the Senator from Illinois, the distinguished minority leader, that he would ask, under the very absurd and unusual precedent set by the Senate in 1957, that this bill go to the calendar.

I feel that this is a rather unusual situation. We had both of these issues here in the Senate this spring. I believe February 15 was the sacred date of the beginning of the great debate on this issue; we debated it here for some weeks. A number of votes were had, and it so happened that the Senate had a separate vote on each of these items that are offered now as a two-title bill by the Senator from Illinois.

I remember very clearly that the motion to lay on the table the so-called FEPC item was made by the Senator from Illinois himself; and I was glad to support him in that motion. I was much pleased when his motion prevailed, and the FEPC item, which I had referred to, I fear a little unwisely, as the "salute to Nixon" section of the bill in early debate, was laid on the table.

I had hoped that in spite of what, I am afraid, was a little inadvertent but a completely truthful statement I had made, the Senator might be moved to lay it on the table. But despite the fact that I had given it that title, he did indeed move to lay it on the table. I supported his motion as vigorously as I could. I followed his leadership then. I cannot follow it now.

Mr. President, nothing more clearly demonstrates how a bad legislative precedent, however noble may be the intention of those who seek to set it, returns to plague the Senate. The Senator from Illinois, who made the motion to table, stated then—and states today—that this bill does not give the Vice President's Commission one iota of additional power to that it now has under the Executive order under which it operates. He states that very clearly. But for some reason he now wants to get statutory standing for this Commission. Could it be that this move is being made in the light of what may develop or will develop in this country come November 8, when we shall have a general election?

Mr. President, several years ago we had the issue before us, when the Senate decided, on the oleomargarine bill, that a bill of any nature that comes before the Senate had to be referred to a committee in the due legislative process. We overturned that precedent in 1957, and we did it because the majority of the Senate thought the end justified the means, and was determined to bypass

the Judiciary Committee on the pretext that it is a graveyard for civil rights legislation. A majority of the Senate took that position and was supported generally in the press of the country.

That precedent, which was justified under the theory that the end justified the means and was sought to be applied to merely political requests, is now to be applied to a bill that will not go to the Judiciary Committee.

The claim cannot be made that this measure will be buried in the Judiciary Committee, presided over by the Senator from Mississippi [Mr. EASTLAND]. Nobody can say that about this bill. This bill will go to the Committee on Labor and Public Welfare, as has every other FEPC bill. This, of course, is the appropriate committee to consider every bill that deals with education or labor.

I would like to know just what objection the Senator has to letting this bill take the regular legislative process and go to the Committee on Labor and Public Welfare. The distinguished Senator from Illinois is a member of that committee. No charge has been made that that committee is the graveyard of legislation of any type. It is a very liberal committee. It is a committee that has among its membership some of the outstanding liberals of this Nation, men who are recognized for having great devotion to this type of legislation.

Mr. President, nothing could better depict the evils that flow from departing from a fair construction of the rules than the matter presented here today. Instead of moving to discharge the Judiciary Committee in 1957, as the Senate should have done—and as it had the votes to do—it bypassed the committee. Now, when the facts which influenced the Senate at that time are not now applicable at all, because the bill would go to an entirely different committee, we find that the distinguished Senator from Illinois seeks to use this very jaundiced precedent in an effort to bypass the committee system of this body.

I noticed that the distinguished Senator from Illinois almost grimaced when he read from the President's message "in keeping with the bipartisan support." [Laughter.]

I am sure that the distinguished Senator from Illinois is only seeking bipartisanship here in bringing this matter to the attention of the Senate. Of course, the distinguished Senator may have some other purpose. There is other legislation pending such as minimum wage and health insurance for the old folks. There may be those who will be surprised at some of the votes of these "mammals of reactionism" when we get into that area. We also have proposals involving situs picketing, and matters of that sort.

I doubt that the distinguished Senator from Illinois is supporting all those bills, all along the line. He will have taken pretty good measures to prevent their consideration by the Senate if he succeeds in his effort to bypass the committee of which he is a member. I hope the Senator from Illinois will relent and

let the bill go to committee in the normal course of procedure.

Mr. DIRKSEN. Mr. President, from the ancient parchments comes the saying that one should not be weary in well-doing. I am afraid that when we started that rather vigorous crusade on the 15th day of February of this year we somehow retreated from that great admonition of old and became a little weary in well-doing, and, as a result, I was willing to see some concessions on these two particular provisions, first, because some saw in this first provision an incipient FEPC. In the second item there was, in the nature of a preamble, or sometimes referred to as a stump speech, an item which speaks of the obligation of school districts in States with respect to the Supreme Court decision in 1954.

As a general thing, I am rather allergic to speeches of that kind in legislation, but I did not put it in there. The matter came up in that fashion, as a part of the package. When it became quite evident, after 8 weeks of marching up the hill and down again, that in order to get some civil rights action it would be necessary to compromise, I was willing to do so.

Compromise is not an unknown art in the political field. The very nature of our Government was developed out of compromise, for in 1787 in Philadelphia, when there was sharp disagreement between the little States like Delaware and Rhode Island on the one hand and the larger and more populous States like Virginia, New York, and Massachusetts on the other hand, out of the controversy came a compromise, by which every State, regardless of size, would have two Members of this body who could not be taken away without the consent of the State, and the membership of the other body would be determined by the population of each State. That was one of the great compromises. Out of it there came a beautiful system of checks and balances which adds up to the constitutional system of this Republic.

So I was willing to compromise. But my conviction remained, and the conviction of the President remained. I assure my esteemed friend from Georgia that this is entirely free from political or partisan considerations. If it were not so, this would not have been here in February of 1960, long before the spectacle in Los Angeles—and, to make sure that I am not misunderstood, long before the spectacle in Chicago in 1960. It came here early in the year under an arrangement or a gentleman's agreement that I had with the majority leader that a bill in this field would be called up on the 15th of February. May it be said to his everlasting credit that the majority leader was as good as his word. When the 15th day of February came the Stella school bill was called up, and we added this to that bill, and Stella became a legend in the country and in the world.

This is nothing new. This was before us for months before any national convention—months before any political considerations—months before distinguished Members of this body found

themselves the cynosure of all eyes everywhere in the country.

I do not believe, Mr. President, it can be properly alleged that there is political motivation. This is a job of restoring what was taken out of the package. If I was weary in my diligence or in my vigor in those earlier days, I confess my sins. I have no objection to doing so. However, I do not confess that my convictions went with it.

If it is said that we have acted on this and therefore we should take no action, I point out that twice we have passed an area assistance bill. Twice the bill was vetoed by the President, because he felt it was "frittering away" public funds in the form in which the bill was sent to him. I am now advised—but not authoritatively—that the subcommittee of the Committee on Banking and Currency will meet on Thursday to reconsider the area redevelopment bill.

I submitted two bills for the administration. This comes back to us now. I do not know what the committee is going to do, but I must say there is an interesting, tenacious quality in government which somehow says, "Never say die." Much of the legislation which develops and finds its way to the statute books results from the fact that people have some convictions, and they follow through relentlessly, earnestly, and vigorously because of a belief that something ought to be done in that field.

Mr. RUSSELL and Mr. KEATING addressed the Chair.

Mr. DIRKSEN. I think that expresses the position.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield first to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I did not mean to challenge the devotion of the distinguished Senator to the cause which he presented this morning. I was appealing to the Senator in the interest of orderly procedure. Of all persons in the Senate who should be in favor of orderly procedure at this extraordinary recess session of the Senate, it seems to me the distinguished Senator from Illinois should be most interested.

We are to consider appropriation bills. We are to consider proposed legislation, of which the Senator speaks, relating to depressed areas. We are to consider a wide variety of other bills. If the Senator is as sincere in his espousal of those bills as he says he is with respect to this measure, which was laid on the table by his own motion no longer ago than last April, it seems to me the Senator certainly should be in favor of orderly procedure and of following the ordinary operations of the Senate in permitting the matter to go to the committee.

It so happens the Senator refers to this as a bill which is advanced by the administration. Very frankly, I will say that this bill is far too pale to attract support of many of the so-called civil rights advocates on this side of the Chamber. I see some of them now in the Chamber who would hardly consider it worth the time of the Senate

which we have already consumed; it is a milk and water bill in the eyes of the real advocates of civil rights legislation.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. Yes.

Mr. CLARK. Is it not true that the bill which my friend from Georgia holds in his hand—

Mr. DIRKSEN. Mr. President, will the Senator from Pennsylvania address himself to me? I am glad to yield to the Senator.

Mr. RUSSELL. The Senator is correct; I am holding the floor by sufferance.

Mr. DIRKSEN. I yield to the Senator from Pennsylvania to ask the Senator from Georgia a question.

Mr. CLARK. I wished to ask the Senator if it were not true that the bill he held in his hand, as I understand it, which is being advocated by the distinguished minority leader, does not contain at least one or two provisions against which the minority leader voted earlier in the session, in connection with motions to table things which we so-called advocates of civil rights were then advocating.

Mr. RUSSELL. Mr. President, I had already asserted that the distinguished Senator from Illinois himself made the motion to lay upon the table the FEPC provision. He was supported in that motion by 21 members of his party. Later he was joined by 24 members of his party in a vote on tabling the other part of this bill, when the motion was made to table that.

Mr. President, I point out that no argument can be raised except that of political desire to justify bypassing the committee to get this matter before the Senate before these other bills, to which the Senator has a large number of amendments, are considered.

We cannot blame this on the Senator from Mississippi [Mr. EASTLAND]. As a matter of fact, the Committee on the Judiciary has 10 Democrats and 5 Republicans as members. The Democrats have a 2-to-1 advantage on that committee. However, on the Committee on Labor and Public Welfare, to which the bill would be referred in the ordinary course of Senate procedure, there are 9 Democrats and 6 Republicans, which is only a 3-to-2 advantage.

I ask the distinguished Senator, before he asks to have the bill read a second time, to look at the membership of the Committee on Labor and Public Welfare of the Senate.

The committee is presided over by the distinguished Senator from Alabama [Mr. HILL]. True, the Senator from Alabama is a southerner, but the Senator is recognized at least in some areas of the country as being a rather liberal-thinking public servant.

We go on down the list, and we find next the Honorable JAMES E. MURRAY, a tower of liberal strength over many years in the Senate of the United States.

We then come to the Honorable JOHN F. KENNEDY of Massachusetts, who is a member of the committee. For some reason the Senator from Illinois might be a

little bit leery about submitting one of his bills to the consideration of the Senator from Massachusetts in the period between now and November 8.

Mr. DIRKSEN. Where is the Senator, by the way?

Mr. RUSSELL. I am sure if the Senator will consult the records he will find that the Senator from Massachusetts, the standard bearer of the Democratic Party, voted against him and voted for both of these propositions when they were considered on the floor of the Senate in April. So the Senator from Illinois has no reason to mistrust the Senator from Massachusetts.

The next member of the committee is Hon. PAT McNAMARA, of the State of Michigan. It is not necessary for me to discuss the attitude of that distinguished Senator with respect to legislation in this area. His whole career has been marked by what to me has been far too much zeal in measures of such radical character.

The next member of the committee is the Senator from Oregon, Hon. WAYNE MORSE, who for years, until some of these other gentlemen came to the Senate, was the high apostle of civil rights in the Senate.

I will not go through the list member by member.

Mr. DIRKSEN. I think the Senator should.

Mr. RUSSELL. I shall be glad to do so. I think when I conclude, the Senator from Illinois will be glad to have the bill entrusted to this distinguished committee.

Mr. DIRKSEN. I am glad to yield further to the esteemed Senator from Georgia for the purpose of continuing his analysis.

Mr. RUSSELL. The next member of the committee is Hon. RALPH W. YARBOROUGH, of Texas, a southern liberal, who has demonstrated his attitude by his fight in the Senate for liberal causes.

The next member of the committee is the distinguished Senator from Pennsylvania [Mr. CLARK], who has just reproached the Senator for not seizing Time by the forelock and supporting this measure when he had an opportunity to do so in April.

Mr. DIRKSEN. I cannot tell whether he is blushing as a result of that action or not.

Mr. RUSSELL. The next member of the committee on the list is the Senator from West Virginia [Mr. RANDOLPH] who likewise voted in April against the Senator's effort to lay this proposal on the table.

The next member of the committee is the distinguished liberal from the State of New Jersey, Senator HARRISON A. WILLIAMS, who likewise voted in April against the Senator's effort to lay this provision on the table.

Now we come to the members of the committee who are on the other side of the table. I must confess that the ranking Republican on this committee has constitutional convictions that would probably prevent him from being too active in supporting the Senator's proposal.

The Senator from Arizona [Mr. GOLDWATER] is the ranking Republican, and he is a man of very strong convictions. I doubt that he has changed his mind between April and August. But he is the chairman of the Republican campaign committee, and the Senator knows he would give his leader a fair shake in the consideration of the bill by the committee.

The next member of the committee is the distinguished minority leader himself, EVERETT MCKINLEY DIRKSEN, from the State of Illinois. He is a member of the committee which would appropriately, under the procedures of the Senate, handle this bill. So the Senator should not say he would not be in a position to agitate and to fight with all the fervor of the inspired conviction that he expresses here today, to get the bill out of the committee under the ordinary processes.

The next member of the committee is the distinguished Senator from New Jersey, Senator CLIFFORD P. CASE. The distinguished Senator from New Jersey left his leader when the leader moved to lay the proposal on the table when it was before the Senate in April. The Senator from New Jersey voted for the provision then. There is no reason to doubt that he would assist the Senator now to get his bill out of the Labor and Public Welfare Committee of the Senate.

Who is the next Senator? The distinguished Senator from New York, Hon. JACOB K. JAVITS.

What more perfect setting does the Senator from Illinois want than an array like that? A team that strong could take this pale civil rights bill and push it through the committee before any of us had an opportunity even to be heard.

Those Members are supported further by the Senator from Vermont, Hon. WINSTON L. PROUTY. Of course, the Honorable Norman Brunsdale is no longer a Member of the Senate.

Mr. President, in view of the composition of that committee, I again urge the Senator not to jeopardize this whole session of the Senate by requesting the unusual procedure he has suggested. The Senator says that he did not want to jeopardize the civil rights bill when it was before the Senate, and therefore he moved to lay this provision on the table in April. But now he resorts to this unusual and bizarre procedure, which would jeopardize all legislation at this session of the Congress.

Let there be no misunderstanding. Some of us will resort to any means at our command to give the bill proper consideration. We are rather accustomed to being whipping boys under ordinary circumstances, but we do not like to be whipped in public for political purposes on the eve of a presidential election. We shall resist it as vigorously as we know how.

I urge the Senator to let the bill go to the committee in the normal course.

Mr. DIRKSEN. Mr. President, let me give my distinguished friend from Georgia the facts of life. I know how

long was the struggle in the Labor and Public Welfare Committee on the so-called Kennedy-Landrum-Griffin bill. I know how long we sat in conference. We were in the Old Supreme Court Chamber for 11 days; and if the minority leader had not threatened to come forth with a resolution to concur in the House bill, we might not have gotten a bill.

There were some bobtails, such as the secondary boycott provision, which are even now before that committee. The committee tried to move them out this morning. I understand it was attempted without a quorum being present.

I have not served on that committee this long without knowing what we are up against. We can read the list of the membership if we like, but there is politics on that side as well as on every other side. Let us not be fooled.

So I do not want the bill to go to the committee. I know what would happen. The steamroller has run over us on every amendment that we have offered on the minimum wage bill, and, with one or two modest exceptions, on the Landrum-Griffin bill; and if it had not been for the spirit, the firmness and the conviction of the House conferees, I do not know what would have been written upon the statute books.

I have been through the processes of the committee. I am a part of the committee. I know what goes on. That is why, Mr. President, I do not want the bill to go to a graveyard, for the simple reason that the President has made an honorable, simple request.

No one will ever embarrass the minority leader by charging him with having changed his mind or reversed his position on other occasions. One cannot have been in this man's town for 28 years, in the House and Senate, without developing a pretty tough skin and recognizing the verities of political life.

I remember the old ditty:

The King of France with 20,000 men
Went up the hill, and then came down again;

I have marched up the hill many times; I have marched down. God willing, if I am alive long enough, I suppose I will march up the hill again and march back down again. But when I reach the bottom of the hill, I will still be looking at the summit to see where I rightfully belong.

That is precisely what is involved here. I went down that hill after 8 weeks, and I want to march back up again.

One becomes weary in well doing. The firebell rang at 2 o'clock in the morning, 4 o'clock, 6 o'clock, midnight, and 10 o'clock. While I was trying to woo Morpheus suddenly that awful clang occurred, and I thought, "goodness, who wants to go through all this again?" I do not want to go through it again. Why not take up the bill?

That suggestion brings me to the important point. The Senator from Georgia talks about orderly procedure. I ask the Chair whether I am in order, under rule XIV, to introduce this bill in the morning hour and ask for the first reading?

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. That is orderly procedure of the Senate. Am I not in order, Mr. President, to ask for second reading on the same day, notwithstanding the fact that there can be objection to a second reading on the same day?

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. Mr. President, will I not be in order under the rule if on tomorrow, after an intervening day, I ask for a second reading on that day, in order?

The VICE PRESIDENT. Yes.

Mr. DIRKSEN. That is all I need to know.

I yield to the Senator from New York. Mr. KEATING. I wish to make one or two observations. First, this is a bill to amend the Civil Rights Act. There is some question in my mind as to whether this bill would go to the Committee on Labor and Public Welfare or to the Committee on the Judiciary. I concede that the first title of it deals with a matter normally under the province of the Committee on Labor and Public Welfare. On the other hand, civil rights legislation is normally within the jurisdiction of the Committee on the Judiciary. Either of the committees, however, I believe it would be fair to say—and the distinguished minority leader has correctly characterized it—is a graveyard of this legislation; that is, either one of them as it is now constituted.

I say that without in any way impugning the motives of the Senators on those committees who feel opposed to any civil rights legislation.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that where I referred to a committee as a graveyard, that reference be expunged from the RECORD. I will not reflect upon a great Member of the Senate like the distinguished Senator from Mississippi [Mr. EASTLAND]. He is, in my judgment, one of the best and most efficient and finest chairmen of a committee that we have in the Senate. He has his convictions, as I do. I would be the last in any way to reflect upon the distinguished Senator from Alabama [Mr. HILL], who has accomplished so much. I ask, therefore, that my reference may be expunged from the RECORD, because I said it in a moment of vehemence. It does not suit well. It ought to come out of the RECORD.

Mr. LONG of Louisiana. Reserving the right to object, I do not believe any reference the Senator has made in that regard would impugn the motives of any of the Senators he has referred to, because they certainly would defeat those bills if they could. Therefore I object.

Mr. DIRKSEN. I hope my friend will not object. After all, a Member should be entitled to remove from the RECORD anything he may have said in vehemence or in emphasis.

High school students read the RECORD in their libraries. If they thought the minority leader reflected on any Member of the Senate who serves on these

committees, I do not believe it would be fair to me. They would wonder what kind of person I really am. I recognize these great Senators as friendly Senators, with whom I have always had the friendliest relations, and who always work in the national interest.

Mr. LONG of Louisiana. If the Senator insists on correcting his remarks, I have no objection to his doing it. He may correct them in any way he wishes. Personally I do not believe it is any reflection at all upon the Senator from Mississippi or the Senator from Alabama to say that they would oppose these bills. There may be some reflection contained in the Senator's remarks with reference to other members of the committee, in that they might not use diligence in reporting the bill, but I see no reflection at all on the chairman of either committee.

Mr. DIRKSEN. I do not want to reflect on a committee by calling it a graveyard. I am afraid we have violated the 3-minute rule. I ask unanimous consent that I may have enough time so that I may yield to other Senators.

The PRESIDING OFFICER (Mr. FONG in the chair). Is there objection?

Mr. JOHNSON of Texas. I have no objection to the request, but I would not want to have an unlimited time provided.

Mr. DIRKSEN. I ask unanimous consent that I may proceed for an additional 10 minutes, under the rule.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I yield 2 minutes to the Senator from New York.

Mr. KEATING. Mr. President, in the light of the remarks of the distinguished Senator from Illinois, I join in the request, and I ask that the word "graveyard" be expunged from my remarks. Although I made it clear that I was not impugning any Senator's motives and I am quite certain that the distinguished Senator from Mississippi and the distinguished Senator from Alabama would take no exception at having their respective committees referred to as graveyards of legislation, I do not wish to say anything which would seem to be unpatriotic.

The distinguished Senator from Georgia has referred to the first title of this bill, and it has been referred to elsewhere, as an FEPC bill. In fact, it is much more limited than any FEPC bill. But even if it were an FEPC bill, let us remember that an FEPC provision is contained in the Democratic platform which was adopted at Los Angeles, and that provision was not only embraced, but "warmly" embraced—those are strong words—by the candidates on the Democratic ticket. There should therefore be no objection on their part to this measure. In fact, it seems to me that they would endeavor to enact this proposed legislation to show that they are willing to perform on their promises.

Finally, I wish to commend the distinguished Senator from Illinois. All of us have a change of heart under changed circumstances. We were up against a very difficult situation here when he made his motion to table.

The distinguished Senator from Illinois has never at any time, so far as I know, departed from his principle that he favors these provisions, as the President had originally asked for them. His motion was purely a practical matter in order to bring that legislation to a head. I commend him for getting up on the summit again, which is the proper place for him.

Mr. DIRKSEN. I now yield 2 minutes to the Senator from Pennsylvania.

Mr. SCOTT. There is no question that the distinguished Senator from Illinois supported the principle of both of these subjects now included in his bill. He carried the fight for the President and in favor of these items as long as he could, and then, as the Senator from New York [Mr. KEATING] has said, simply in the interest of orderly procedure and in an attempt to get a final vote and action on as much of the civil rights bill as we could get, over the opposition encountered, he took the action he did. I should like to point out that other Senators have been very active in calling for vigorous administration support. The Senator from Illinois is furnishing that now.

I refer to the majority leader's leader, who yesterday issued a statement blaming the administration for the failure of Congress to pass a stronger civil rights measure this spring. He supported the very action the Senator from Illinois is taking in regard to these two deletions, and indicated that he wanted them put back. In fact, he said:

With "vigorous"—

The word is in quotation marks—

administration support, Congress could have passed measures to authorize the Attorney General to bring court action to protect constitutional rights and to provide technical assistance to schools.

The majority leader's leader did not give us the benefit of this advice either now or at the time the bill was under discussion. He made it in reference to a demand upon him by 50 civil rights organizations for an August downpayment on the civil rights plank in his platform.

The majority leader's leader yesterday was right in calling for vigor. The majority leader's leader has vigor. It is only to be regretted that the majority leader's leader did not use some of that vigor in appearing and voting on these two measures. The first was on vote No. 272, on April 1. The gentleman involved who made this statement with respect to vigorous support did not vote then. On vote No. 273, on April 4, the same Senator did not vote. So I say if there is to be vigor here, let it be demonstrated on the floor of the Senate, when there are measures to be voted upon, rather than in statements to organizations where no legislative purpose can be served.

Mr. DIRKSEN. Mr. President, I yield to the distinguished senior Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like to obtain the floor in my own right.

Mr. DIRKSEN. Then, Mr. President, I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I think I have a good right to speak in this con-

nection, because I put the Senator from Illinois [Mr. DIRKSEN] to the pain of offering the amendment I am about to offer on a statutory basis in this particular committee, and then to move to table his own amendment. I am sorry that happened. It was inherent in the case, because we differed at that time as to whether or not it was necessary to proceed in that manner. It was done in order to get a bill. I pay my respects to the Senator from Illinois for undertaking something which was very onerous and very difficult. It may be recalled that I lost my temper here, for which I am very sorry now, and always have been since.

Having said that, I may say this to the Senator from Illinois. He is to be supported in this move with pride, because we came back to finish unfinished business. That is what this is all about. Part of the unfinished business is the civil rights bill.

The Senator from Illinois, therefore, is carrying out the mandate of the President in trying to have unfinished business completed. Civil rights is just as much unfinished business as any of the other business before the Senate. I think the Senator from Illinois can face up to it with great pride.

Rules are not made to kill legislation or to chain it. That is a misconception which some of our colleagues have. Rules are roads to fulfilling the objectives of the Constitution, namely, to vote on legislation.

Finally, I sincerely hope that politics will not be used to kill what should be done in the civil rights field by talking to us about a pallid bill. I and Senators on the other side of the aisle voted for pallid bills in 1957 and 1960, because they were the best bills we could get under the given circumstances.

I do not believe Senators on the Democratic side who favor civil rights will vote to kill any civil rights provision which with our votes could be obtained, on the ground that it might help someone politically. I do not believe they are that narrowminded. I do not believe they are so shortsighted. I will not believe it until I see it.

Certainly, the charge of politics can be hurled. But what is this all about? How will it be possible to get legislation affecting any phase of American life unless people stand up for something and then ask for it and back it?

Mr. DIRKSEN. Mr. President, was my request for a second reading acted upon?

Mr. RUSSELL. Mr. President, I reserved the right to object in order that I might have the right to object.

Mr. DIRKSEN. Mr. President, I want to yield the floor. A minority policy meeting is being held at this minute. I yield the floor.

Mr. CLARK. Mr. President, I have listened with great interest to the discussion which has just transpired in the Senate. I think it is not unduly egotistic of me to state that there are few more ardent advocates for civil rights in this body than I. I vigorously opposed, although unsuccessfully, various motions which the distinguished minority leader

made last winter and spring to table civil rights provisions which, in my judgment, were wise, just, and overdue. I am a great advocate of FEPC legislation. Perhaps I should say I am a strong advocate; certainly I am not a great advocate of such legislation. In due course, I hope it will come before the Senate and will be passed.

But, Mr. President, I believe I can recognize the hand of politics on the floor of this body as readily as the next Senator. I do not stand alone in that field. Actually, this morning the Washington Post published an excellent editorial entitled "Not a Political Football." The editorial deals with the subject of making civil rights a political football in the Senate this week. I ask unanimous consent that the editorial may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NOT A POLITICAL FOOTBALL

The zeal of Republican Senators KEATING and SCOTT in whipping into legislative form the Democratic plank on civil rights is worthy of a better cause. Their all-too-obvious purpose is to embarrass the Democratic Party if not to provoke a filibuster that would wreck the legislative program in the brief August session. While the two Senators are pretending to launch a serious drive for new civil rights legislation, they can scarcely expect anyone to look beyond the highly partisan wrapping of their package.

In the first place, the presumption of two Republican Senators in trying to spell out what the platform of the opposition party means goes beyond the ordinary bounds of politicking. For example, the Democratic platform calls for a fair employment practices commission to secure equality in regard to job opportunities. But how should it be constituted? What powers should it have? How should its rulings or recommendations be enforced? The platform does not say. These are issues of great importance that would have to be worked out through long conferences between Senator KENNEDY and his advisers, if the Democratic ticket should be elected.

Similar problems arise from the pledge to authorize the Attorney General to institute suits for the enforcement of civil rights. As for the Keating-Scott provision for the abolition of literacy tests and poll taxes, the Senate has already passed a proposed amendment to the Constitution to wipe out poll taxes by the proper method. To press for an anti-poll-tax status of doubtful constitutionality in these circumstances is a step backward. What right have two Republican Senators to devise such strategy for their opponents?

To suppose that a bill thus concocted within a few days for partisan purposes could be transformed into law without hearings and extensive debate, is to make a jest of the legislative process. It was bad enough for Senator JAVITS to press for emergency action on an omnibus bill designed to carry out the Republican civil rights plank at the risk of jeopardizing the advanced bills on the "must list" for the August session. Messrs. KEATING and SCOTT have gone much further in the misuse of civil rights as a partisan device. Their transparent gesture is not likely to cause any serious embarrassment to the Democratic majority in the Senate, but it can embarrass the authors in all circles which look upon civil rights as a subject for painstaking legislation and not as a political football.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. CLARK. I should prefer to finish my statement, if the Senator would be agreeable to my doing so.

Mr. YOUNG of Ohio. I simply wanted to make a brief comment concerning what the Senator from Pennsylvania just said.

Mr. CLARK. Very well. Without losing my right to the floor, I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Does the distinguished Senator from Pennsylvania know that some great newspapers of the Scripps-Howard league, including the Washington Daily News and the Cleveland Press, published an excellent editorial entitled "Congress Go Home"? I shall read from that editorial:

CONGRESS GO HOME

Senator KENNEDY seems to have aligned himself with those who are having some sober second thoughts about the post-convention session of Congress which opens Monday.

In New York, Senator KENNEDY cooled this off with a statement he doesn't expect the session to carry out the platform of either party. He said, in effect, that he would prefer a mandate from the people, expressed through their ballots in November.

I ask the Senator from Pennsylvania to listen to the concluding paragraph of the editorial and to inform us whether he concurs in the statement:

This is a statesmanlike view. Congress should pass the routine legislation left over from the regular session, and then go home, allowing the platforms, and the candidates, to make the issues in the campaign.

In other words, the editorial writer is saying that we should clean up the routine business and get out. Does the Senator agree with that viewpoint?

Mr. CLARK. I thank the Senator from Ohio for his helpful interjection. I certainly agree with that statement in large part. I would not want to foreclose completely any action on civil rights legislation at this short session of the Senate. I certainly do not believe that the time to bring it up is on the second day of the session. Certainly I do not believe the way to do it is to bypass the Committee on Labor and Public Welfare, of which I am a member. Certainly I do not believe civil rights ought to stand in the way of the prompt enactment of proposed legislation which is on the calendar and is ready for action.

I point out that the Senate is supposedly engaged in a debate as to whether to ratify an important treaty. That treaty should have been ratified before we went to the conventions. It has been embarrassing to the administration and has been embarrassing to the Committee on Foreign Relations that the Senate was not able to act and did not act on that treaty before this time. I say let us get down to the business we were brought back here to do. Let us get on to the consideration of the treaty. Let us then move on to the consideration of the minimum wage bill. Let us get on to the education bill, the housing bill, the bill to provide health care for the aged. Let us stop politicking on subjects

which are not germane to the business which we were called back to do.

I say again that I stand ready at the appropriate time to vote for the entire Democratic platform in connection with civil rights. However, I also say that any effort to do that right now is an effort to put aside the important business for which we came back, business to which we should be giving our attention at this very minute.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. Is it not true that among the unfinished items which we must consider, in addition to the Antarctic Treaty, are the mutual security appropriation bill, the public works appropriation bill, and other measures of that nature? Do we not also have to consider an omnibus housing bill, a school construction bill, a minimum wage bill, a medical care for the aged bill?

Does not the Senator from Pennsylvania believe that by bringing in an extraneous issue, no matter how important it is, or how strongly one feels for or against it, the four items of unfinished business which we came back to complete encompass the civil rights field, because they take care of people regardless of race, creed, or color?

Mr. CLARK. The Senator from Montana is entirely correct. I point out also—and shall refer to this again—that, in my judgment, the rules of this body are not well conceived to accomplish the public business; that they must be drastically changed if we are to carry out our commitments; but we cannot possibly change them now, because there is not time for adequate study.

However, we can, by exercising a certain amount of self-discipline concerning the rules which are available to us get on with the pending business, which is on the treaty relating to the Antarctic.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. CLARK. I yield for a question only.

Mr. BUTLER. Is it a fair question to ask if the Senator's party has not come back to play the kind of politics it wants to play, and it does not want the other side to play the kind of politics it wants to play?

Mr. CLARK. That is some question.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. I now yield to the Senator from New York.

Mr. JAVITS. I am interested in what the Senator says, and I take it very seriously.

Mr. CLARK. I am sure the Senator does. He and I have fought side by side the battle of civil rights in the past.

Mr. JAVITS. I ask this question very seriously, and I am very seriously interested in the Senator's response to it: Does the Senator regard the civil rights issue as equal in importance to the issue of medical care for the aged and the other issues the Senator says we have been brought here to deal with?

Mr. CLARK. Yes; but not at this time.

Mr. JAVITS. I am glad to have that answer.

Second, does the Senator feel that in view of the fact that we were not called back by the President, but were called back by our own resolution of adjournment, we are under any inhibition against dealing with certain matters, or that we have the latitude to deal with any matters with which we wish to deal during this short session?

Mr. CLARK. I think we have that right, and I think we must exercise some self-discipline and judgment. I regret that in this instance my judgment differs from that of the Senator from New York. I regret to state that I believe that in this instance he is wrong.

Mr. JAVITS. I appreciate the Senator's position.

Then, although our judgment as to the timing may differ, does the Senator believe that this issue is as important as anything else with which we may have to do, and that we are not under any mandate to refrain from dealing with it, except as Senators may wish?

Mr. CLARK. It is just a question of judgment or wisdom on the part of Senators.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I yield.

Mr. JOHNSON of Texas. Is it not a fact that no civil rights bill was reported from committee in either the House or the Senate during the entire time the Republicans controlled the Congress during President Eisenhower's administration?

Mr. CLARK. That is correct.

Mr. BUTLER. Mr. President—

Mr. CLARK. Mr. President, I have the floor. Does the Senator from Maryland desire me to yield to him for a question—for another question like the one he asked a moment ago? [Laughter.]

Mr. BUTLER. I do not wish to cut the Senator off. But I have morning hour business to transact.

Mr. CLARK. I shall finish in 30 seconds.

Mr. President, I move to lay on the table the bill introduced by the Senator from Illinois [Mr. DIRKSEN], with respect to which he has requested the second reading.

Mr. JOHNSON of Texas. Mr. President, on that question I ask for the yeas and nays.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

Mr. JOHNSON of Texas. Mr. President, I have asked for the yeas and nays on the pending question.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 281]

| | | |
|----------|--------------|--------|
| Anderson | Butler | Chavez |
| Bartlett | Byrd, W. Va. | Clark |
| Bible | Carroll | Cooper |

| | | |
|-----------|----------------|-------------|
| Dodd | Holland | Murray |
| Douglas | Jackson | Muskie |
| Eastland | Javits | Proxmire |
| Ellender | Johnson, Tex. | Randolph |
| Engle | Johnston, S.C. | Russell |
| Fong | Keating | Smathers |
| Frear | Kuchel | Stennis |
| Fulbright | Long, Hawaii | Talmadge |
| Gore | McClellan | Yarborough |
| Green | McNamara | Young, Ohio |
| Hartke | Magnuson | |
| Hayden | Mansfield | |

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Alaska [Mr. GRUENING], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Missouri [Mr. HENNING] is absent because of illness.

The Senator from Alabama [Mr. HILL] is absent because of a death in his family.

The Senator from Wyoming [Mr. O'MAHONEY] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART], the Senators from South Dakota [Mr. CASE and Mr. MUNDT], the Senator from Nebraska [Mr. CURTIS], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Iowa [Mr. HICKENLOOPER] are detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I understand that the policy committee of the minority is in session. While we have had two rollcalls, I think they are legitimately absent, but I do move that the Sergeant at Arms of the Senate, in view of their great interest in this matter, be instructed to request the attendance of the minority.

Mr. KUCHEL. Mr. President, will my friend withhold his motion, so I may ask a question?

Mr. JOHNSON of Texas. It is not debatable.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Senator from Texas may yield to the Senator from California for a question.

Mr. KUCHEL. I appreciate that.

The PRESIDING OFFICER. The Senate cannot give unanimous consent while a quorum is not present, unless the Senator wishes to yield to the Senator from California for a question.

Mr. KUCHEL. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. Mr. President, do I have the privilege of yielding? If I may have the ruling of the Chair, I shall be glad to yield.

The PRESIDING OFFICER. No debate is allowed on this question.

Mr. JOHNSON of Texas. Then I may not yield?

The PRESIDING OFFICER. The Senator may not yield.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

Mr. KEATING. Mr. President, a parliamentary inquiry.

Mr. BUTLER. Is the motion of the Senator from Texas in order?

The PRESIDING OFFICER. The motion is in order.

Mr. KEATING. Mr. President, a parliamentary inquiry.

Mr. MANSFIELD. Mr. President, I ask for the regular order.

Mr. KEATING. Mr. President—

Mr. MANSFIELD. Mr. President, the regular order.

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York may make a parliamentary inquiry.

Mr. KEATING. Does the motion of the distinguished Senator from Texas, asking that the Sergeant at Arms—

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that no inquiry is in order. The question now is on the motion of the Senator from Texas.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ALLOTT, Mr. BEALL, Mr. BENNETT, Mr. BRIDGES, Mr. BURDICK, Mr. BUSH, Mr. BYRD of Virginia, Mr. CANNON, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CHURCH, Mr. COTTON, Mr. DIRKSEN, Mr. DWORSHAK, Mr. HART, Mr. HRUSKA, Mr. HUMPHREY, Mr. KENNEDY, Mr. LAUSCHE, Mr. LONG of Louisiana, Mr. LUSK, Mr. MCCARTHY, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MORTON, Mr. MOSS, Mr. PASTORE, Mr. SALTONSTALL, Mr. SCHOEPFEL, Mr. SCOTT, Mrs. SMITH, Mr. SYMINGTON, Mr. THURMOND, Mr. WILEY, Mr. WILLIAMS of New Jersey, Mr. WILLIAMS of Delaware, and Mr. YOUNG of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The question is on the motion of the Senator from Pennsylvania to lay the bill on the table.

Mr. KUCHEL. Mr. President—

The PRESIDING OFFICER. No debate is allowed.

Mr. KUCHEL. Mr. President, will the Chair repeat the question and the name of the Senator who made the motion?

The PRESIDING OFFICER. The question is on the motion of the Senator from Pennsylvania to lay the bill—

Mr. KUCHEL. To lay which bill?

The PRESIDING OFFICER. The bill on civil rights.

Mr. KUCHEL. The bill that is now at the desk?

The PRESIDING OFFICER. Yes.

Mr. KUCHEL. And who made the motion?

The PRESIDING OFFICER. The senior Senator from Pennsylvania.

Mr. KUCHEL. Mr. CLARK?

The PRESIDING OFFICER. Mr. CLARK.

Mr. KUCHEL. I thank the Chair.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Alaska [Mr. GRUENING], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Alabama [Mr. SPARKMAN], are absent on official business.

The Senator from Missouri [Mr. HENNING] is absent because of illness.

The Senator from Alabama [Mr. HILL] is absent because of a death in the family.

The Senator from Wyoming [Mr. O'MAHONEY] is necessarily absent.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Vermont would vote "nay."

I further announce that if present and voting, the Senator from Alaska [Mr. GRUENING], the Senator from Missouri [Mr. HENNING], the Senator from Alabama [Mr. HILL], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Alabama [Mr. SPARKMAN], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Indiana [Mr. CAPEHART], the Senators from South Dakota [Mr. CASE and Mr. MUNDT], the Senator from Nebraska [Mr. CURTIS], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Iowa [Mr. HICKENLOOPER] are detained on official business.

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from North Carolina [Mr. ERVIN]. If present and voting, the Senator from Vermont would vote "nay," and the Senator from North Carolina would vote "yea." If present and voting, the Senator from South Dakota [Mr. MUNDT] would vote "nay."

The result was announced—yeas 54, nays 28, as follows:

[No. 282]

YEAS—54

| | | |
|--------------|-----------|----------------|
| Anderson | Dodd | Humphrey |
| Bartlett | Eastland | Jackson |
| Bible | Ellender | Johnson, Tex. |
| Burdick | Engle | Johnston, S.C. |
| Byrd, Va. | Frear | Kennedy |
| Byrd, W. Va. | Fulbright | Lausche |
| Cannon | Gore | Long, Hawaii |
| Carroll | Green | Long, La. |
| Chavez | Hartke | Lusk |
| Church | Hayden | McCarthy |
| Clark | Holland | McClellan |

McGee
Magnuson
Mansfield
Monroney
Moss
Murray
Muskie

Pastore
Proxmire
Randolph
Russell
Smathers
Stennis
Symington

Talmadge
Thurmond
Williams, Del.
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—28

Aiken
Allott
Beall
Bennett
Bridges
Bush
Butler
Carlson
Case, N.J.
Cooper

Cotton
Dirksen
Douglas
Dworshak
Fong
Hart
Hruska
Javits
Keating
Kuchel

McNamara
Morse
Morton
Saltonstall
Schoeppel
Scott
Smith
Wiley

NOT VOTING—18

Capehart
Case, S. Dak.
Curtis
Ervin
Goldwater
Gruening

Hennings
Hickenlooper
Hill
Jordan
Kefauver
Kerr

Martin
Mundt
O'Mahoney
Prouty
Robertson
Sparkman

So the motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was laid on the table.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, I thought this would be a good opportunity to have some clarification of paragraph 3 of rule XIV. I submitted a bill with two titles to amend the Civil Rights Act. Those two titles were included in the package bill which was introduced on February 15. When I submitted this bill after an introductory statement, I asked for its first reading, and it was read by title as a first reading, as announced by the Chair.

I then requested the second reading, knowing, of course, that if there were objection to the second reading, the bill would have to lie over one legislative day.

I ask whether or not a bill at that posture is subject to a motion to table under paragraph 3 of rule XIV, which reads as follows:

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

The pertinent clause is contained in the last two lines of paragraph 3, which read as follows:

but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

It would appear to me that under this language a motion to table the bill before the Senate is violative of the rule. I think the Parliamentarian has ruled otherwise, but I should like to have a little clarification of that clause in paragraph 3 of rule XIV for my own information.

Mr. RUSSELL. Mr. President, I should like to be heard very briefly on the parliamentary question, if I may.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, I have endeavored to make my position perfectly clear from time to time on the whole construction that has been placed upon rule XIV and the decision that one Senator, as a matter of right, may have a bill read twice and placed on the calendar, thereby bypassing the entire committee procedure of the Senate.

I believe that was a very bad precedent. I adverted to it earlier in the day when I was discussing the question that was before the Senate. If there is one thing that is completely settled under the general procedures of the Senate, it is that if a measure or a motion of any kind is in the possession of the Senate, it is there for all purposes. The distinguished Senator cannot call up his bill and ask that it be read twice, and do so for that purpose exclusively. When he does, the bill is on the desk, before the Senate, and it is in the possession of the Senate.

I well remember the ruling that was made in 1957, which set the precedent we now have, overruling an earlier precedent which had held that bills must go to committees. A very serious error was made when it was held that the end justified the means, and the committee was bypassed. A solid precedent had been established in the absence of the heat and the politics generated by a civil rights bill.

If a Senator desires to resort to this decision, which I do not think is a good precedent, he cannot do so for particular purposes. When he sends a bill to the desk and it is in the possession of the Senate, it becomes as much the property of every other Senator as it is of the Senator who submitted it, and any motion that is in order at any other time may be made with respect to the bill.

The Senator asked unanimous consent that the bill be read a second time. It was called up for that purpose. I reserved an objection. There was considerable discussion, and while the bill was in the possession of the Senate a motion was made to lay it on the table. Unanimous consent was granted for lengthy debate, but the gravamen of the whole parliamentary situation is the fact that the bill was called up and put into the possession of the Senate. No Senator can introduce a bill merely for his own personal purposes and for the purpose of doing what he desires to have done with it. When he sends it to the desk and the clerk has physical custody of the bill, any motion can be made with respect to it as can be made with respect to any other bill.

I deplore this whole precedent, this whole system of bypassing a committee. Undoubtedly under the precedent as it stands today, ill conceived as it is, when the bill was before the Senate, after having been called up by the distinguished Senator from Illinois [Mr. DIRKSEN], any motion that might be made under rule XXII could have been made. A motion could have been made to lay on the table. A motion to post-

pone indefinitely could have been made. A motion to refer the bill to committee could have been made.

When the Senate was prevailed upon in 1957 to strike down a precedent of many years standing, to permit the bypassing of committees, it was argued that the majority of the Senate ought to have a right to work its will under all circumstances. I do not agree with that philosophy. I think there are procedures that are above the will of the majority, and we cannot protect the rights of the minority unless we have procedures that are superior to the will of the majority.

In this case, when the Senator from Illinois [Mr. DIRKSEN] called up his bill and asked for the second reading, the bill was in the custody of the Senate, and the majority of the Senate had the right to work its will and lay the bill on the table. They have done so.

In my opinion the Senator's point of order is moot. It should have been lodged before.

Mr. DIRKSEN. Mr. President, I did not make a point of order. I am fully aware that the question is moot. I made it abundantly clear in my preliminary observations that the request was wholly for information and for future use. The pertinent language involved is, first, that the bill shall be read once.

Second, under the rule, the bill may be read twice. Then this language appears: "But shall not be considered on that day." What constitutes consideration? We have not discussed the merits of the bill. Much of this was preliminary, and much of it was general discussion, but the question is, Was it considered on the same day by virtue of a motion to table? I think that ought to be clarified, quite aside from whether it was read once or whether it was read twice.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. RUSSELL. The Senator will concede that if he had gotten unanimous consent to consider the bill, the motion could have been made to lay it on the table, even though it had been read one time.

Mr. DIRKSEN. Yes. Then of course it would definitely have been before the Senate. But there was no unanimous-consent request to have the bill before the Senate.

Mr. RUSSELL. The Senator asked unanimous consent to have the bill read the second time.

Mr. DIRKSEN. I did it as a matter of right, not as a matter of unanimous consent.

Mr. RUSSELL. The Senator did it, but he was not entitled to it.

Mr. DIRKSEN. I was entitled under rule XIV to ask for first reading by title. I ask for a ruling on whether or not I was, as a matter of right, entitled to submit the bill in the morning hour and ask for first reading by title.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. The Senator went further. He asked that it be read the second time. That put the bill in the

custody of the Senate. He could only have it read the second time by unanimous consent.

Mr. DIRKSEN. The pertinent sentence is: "But shall not be considered on that day." So there was the language. I ask only for information in case a comparable situation arises at some future time.

Mr. RUSSELL. That language can be dispensed with by unanimous consent, and the Senator from Illinois sought to dispense with it by unanimous consent.

Mr. MORSE. Mr. President, I wish to make a very brief statement about the vote I cast in opposition to the motion to lay on the table the Dirksen civil rights proposal. No one should be surprised by my vote, in view of the position I have taken previously on just such parliamentary procedure policies the Clark motion to lay on the table raised. I think the Clark motion was a very unsound approach to the procedural problem raised by the Senator from Illinois [Mr. DIRKSEN].

The Senator from Georgia is unanswerably correct in the parliamentary analysis he has presented to the Senate. We created the problem with regard to rule XIV in 1957. There were a few of us who thought at that time that we were making a mistake in the Senate when rule XIV was subjected to the interpretation and the treatment it received. Some of us took the position at that time that we should not be parties to the type of interpretation of rule XIV that was made. The record is perfectly clear. The Senator from Georgia and the Senator from Oregon in 1957 sought, in effect, time after time in the debate, to indicate that this matter would rise to plague us. The Senator from Mississippi [Mr. STENNIS] took the same position, if my recollection is correct.

I took the position at that time that the most orderly procedure in the Senate by which to handle this problem was to refer the matter to a Senate committee. I voted against the motion to lay on the table the civil rights issue today for exactly the same reason that I urged in 1957 that the House civil rights bill should go to the Senate Judiciary Committee. Once again, in my judgment, we should have awaited our time today and eventually committed the proposal of the Senator from Illinois to committee. After all, it is the committee procedure of the Senate that gives us the most orderly consideration of these matters.

We all know that the political humidity is very high these days. We must expect many political thunder and verbal election storms in this session of Congress. I believe we ought to have waited out the politics on this civil rights issue for a few hours. This bill would have had to be read automatically a second time tomorrow. That would have placed us in the parliamentary position so that we could have moved tomorrow to send it to committee. By adopting the Clark motion to lay it on the table we have caused much confusion among many people who are concerned about civil rights.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. Referring this civil rights issue to committee rather than moving to lay it on the table is exactly the course of action I think we ought to have taken. I now yield to the Senator from Pennsylvania.

Mr. CLARK. Is it not true that a motion to refer a bill to a committee under the present rule of the Senate, of which I disapprove, would be subject to unlimited debate?

Mr. MORSE. Unlimited debate never bothers me. If people want to resort to that parliamentary tactic on civil rights legislation, let us smoke them out. To use a colloquialism, if the gentlemen on the other side want to adopt that maneuver let them try it. We ought to put an end to it. We should not take a civil rights issue that has been raised by the party of opposition, and table it. We should meet them head on under the rules of the Senate that are available to us. We could have them tomorrow on a motion to send their civil rights proposal to committee, where the bill ought to go for such consideration as the committee wants to give it.

Mr. CLARK. It is rare indeed that I find myself in opposition to my good friend from Oregon, particularly with respect to the matter of civil rights. However, in my considered judgment, if we had had unlimited debate, the public business of the Senate for which we were called back would have been delayed. It was for that reason that I made my motion. I have no regrets. I regret only that my judgment is not in accord with that of my good friend from Oregon.

Mr. MORSE. I wish to say most respectfully that I do not know of anything that could be more in the interest of public business than to have the Senate proceed to demonstrate to the country that it wants civil rights legislation to receive full and fair consideration by a Senate committee. I do not share the fears of the Senator from Pennsylvania. I say we did not make use of the most orderly procedure under the rules for handling this civil rights problem today. We should have waited our time until tomorrow and sent this matter to committee.

I have one more thing to say with regard to my position. I am not taking the position that in the short 3 weeks ahead of us we should try to pass comprehensive civil rights legislation. I do not think it is very realistic for any of us to assume that passing an adequate civil rights bill is a parliamentary possibility in the Senate during this short session.

The people of the country are going to see through the politics of anyone who wants to make a partisan political maneuver on civil rights legislation during this short session of the Congress.

I yield to no one in the light of the record I have made on civil rights during my 16 years in the Senate. I shall always be proud of the fact that I stood with the Senator from Georgia in 1957 on the parliamentary position he took on rule XIV. We were right then and we are right again today in our criticism of

the interpretation of rule XIV as it was made in 1957 and applied again today.

I hope that when we come back in January we will see the importance of sending to the Committee on Rules and Administration a revision of rule XIV, so that we can get this matter cleared up once and for all. If we do not do so, periodically we are going to come back to exactly the same position in which we find ourselves today. The trouble is with rule XIV as well as rule XXII. An end justifies the means argument created this problem in 1957 when the civil rights bill that came over from the House was not sent to the Senate Judiciary Committee but was placed by the Senate directly on the Senate Calendar. If we change the rules we will have Senators rise from time to time to move to table a civil rights issue just as has been done today when what we ought to do is send it to committee. Our action today will be subject to a great deal of misinterpretation by a great many people in the country.

I voted against the motion to lay on the table the civil rights issue because I did not think it was the most orderly procedure to adopt.

THE LENDING POWERS OF BANKS

Mr. BUSH. Mr. President—

The PRESIDING OFFICER (Mr. HRUSKA in the chair). The Senator from Connecticut.

Mr. BUSH. Mr. President, I observe in this morning's New York Times that the Federal Reserve Board has acted to loosen the strings on the banks' lending power. I ask unanimous consent that an article on this subject appearing in the New York Times be printed in the RECORD at this point. I hope that Senators will take the time to read the article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE ACTS TO LOOSEN STRINGS ON BANKS' LENDING POWER (By Joseph A. Loftus)

WASHINGTON, August 8.—Some of the strings on the lending powers of banks will be loosened within the next 25 days.

Action announced by the Federal Reserve System today could theoretically increase the lending power of banks by as much as \$3,600 million.

This is about twice as much as the increase that was permitted to develop in the second half of 1959 and, therefore, has the appearance of a significant change in money policy.

Qualified sources said, however, that there was no intent in today's action to make any significant change in policy. The intent was to comply with a 1959 law and to do so at a time when rising seasonal demand for credit would offset the additional reserves that will be allowed to expand bank credit.

If the Federal Reserve has picked the wrong time and if the expected seasonal rise in credit demand does not materialize, the Reserve System will have to absorb the excess by open-market operations—that is, by selling securities—these sources said. There is no intent to affect the whole area of interest rates, it was declared.

The action was taken in the form of amendments to Regulation D. These

amendments relate to bank reserves and reserve requirements in three respects. They further implement the 1959 law relating to vault cash and reserve requirements.

The changes are as follows:

1. Effective August 25, member banks outside of central Reserve and Reserve cities, known as country banks, will be permitted to count, in meeting their reserve requirements, any vault cash that they hold in excess of 2½ percent of their net demand (checking account) deposits. At present they can count only vault cash that they hold in excess of 4 percent of net demand deposits.

2. Effective September 1, Reserve city and central Reserve city banks will be permitted to count vault cash in excess of 1 percent of their net demand deposits, instead of the present 2 percent.

3. Effective September 1, the reserves required to be held by central Reserve city banks against their net demand deposits, now 18 percent, will be reduced to 17½ percent. This change is a first step toward compliance with a provision of the 1959 act that the differential between the requirements of central Reserve city and Reserve city banks be eliminated by July 28, 1962. Banks in Reserve cities is now 16½ percent, the present action reduces the differential from 1½ percentage points to 1 point.

CATEGORIES LISTED

The central Reserve cities are New York and Chicago. The Reserve cities are the other larger cities of the country, numbering about 50. Banks outside these cities have come to be called country banks.

As a result of the first two changes, it is estimated that about four-fifths of the 6,200 member banks will be in a position to count a part of their vault cash in meeting their required reserves.

The amount of reserves made available by today's actions on vault cash will be about \$470 million, of which somewhat more than half will be at country banks and almost all of the rest at Reserve city banks.

The reduction in the reserves required to be held by central Reserve city banks will release about \$120 million of reserves.

Since banks may lend roughly \$6 for every \$1 of reserves, lending power theoretically would be raised about \$3,600 million. Authorities say, however, that theoretical calculations do not always work out as they do on paper because of factors that cannot be anticipated or measured.

Normally, there is a rise in demand for business credit in the fall as merchants, for instance, get ready to stock their shelves for the Christmas rush. In the past, the Federal Reserve System generally has provided for seasonal rises in demand for credit by buying securities in the open market.

Mr. BUSH. Mr. President, another matter suggested by that article, is the question of the so-called tight-money policy or hard-money policy which has been mentioned in the platform of the opposing party, and repeatedly discussed on the floor of the Senate by Members of the opposing party.

A recent study of the question of money rates around the world has been made by the First National City Bank of New York. The Wall Street Journal of today, August 9, in an editorial entitled "The High Price of Cheap Money," comments on this study as follows:

It shows, first off, that the current 4 percent prime rate in the United States for borrowed money is the lowest in the world. In Great Britain, for example, the best borrowers pay as much as 7½ percent. In France, 7¼ percent. In Japan, 9 percent.

Indeed, in only two countries in the world does the prime rate even approach the low level of the United States. Those countries are Portugal and Switzerland.

Mr. President, I ask unanimous consent that the editorial from which I have read, in part, be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE HIGH PRICE OF CHEAP MONEY

The Democrats are deploring the high interest rates which people today have to pay when they borrow—all due, naturally, to the Eisenhower hard money policy—and one of the boons they promise us, if elected, is cheap money.

Well, the First National City Bank of New York has just compiled a table showing interest rates around the world. It gives the rate for prime commercial loans, which is the cheapest money that can be borrowed by the biggest and best firms. The man who walks into a bank to borrow for his personal use will pay much more. And the table makes very interesting reading indeed.

It shows, first off, that the current 4 percent prime rate in the United States for borrowed money is the lowest in the world. In Great Britain, for example, the best borrowers pay as much as 7½ percent. In France, 7¼ percent. In Japan, 9 percent. There is no place where you can borrow money cheaper than right here.

Indeed, there are only two countries where the current prime rate even approaches the low level of the United States. These two—and we hope Senator KENNEDY will take note—are both hard money countries. The rate in Portugal is 4 percent, as here, and in Switzerland 4½ percent.

Mr. KENNEDY might also note that in the countries that have gone further in a socialistic planned economy, complete with welfare state, borrowed money is considerably more expensive than under our alleged high rates. In Norway the biggest and soundest borrowers pay 5½ percent; in Sweden 6½ percent.

But what really sends a chill down the spine is a look at the soaring prices for borrowed money in those countries which have deliberately, and diligently, followed cheap money policies. In Brazil and Paraguay the cheapest you can borrow is 12 percent. In Peru the best commercial loans cost 13½ percent. And in Chile the lowest rate is 15 percent.

These, mind you, are for loans on the best business security. The man who wants to borrow to buy a house or pay a hospital bill must pay 20 percent and up, if he can borrow at all. For once everyone realizes that a government is deliberately going to cheapen the money, interest rates soar in a desperate effort to keep up with the inflation.

So the moral in this little tour of the world, if it needs to be stated, is that for the people cheap money is the most expensive of all.

JUDGESHIPS

Mr. JAVITS. Mr. President, I call the attention of the Senate to a statement made yesterday by the distinguished majority leader. I should like to have his attention. He was speaking with respect to a bill to provide for new judgeships. He said:

I am sure we can pass a bill to create new judgeships. Such a bill has been reported. It may not go as far as some persons want it to go, because there are certain patronage considerations which we do not want to go into.

Mr. President, in New York, especially, we are under great pressure with respect

to judgeships. I should like to state to the distinguished Senator from Texas that I sincerely hope that whatever may be the patronage pressures, certainly any Senator from any one of the States can control that as much as anyone. However, this bill should be brought up. I repeat that we in the State of New York are under tremendous pressure to provide additional judgeships.

For example, in the southern district of New York the judges carry the heaviest caseload in the country, an average of 633 cases per judge.

As of March 31 of this year, in the eastern district of New York, the judges were carrying a load of 306 cases per judge, which is 21 percent higher than the national average of 252 cases per judge.

It still takes about 4 years for a civil case to move from start to finish, which is almost three times the average of 15.3 months for the Nation. That is in the eastern district of New York.

Mr. President, in that connection, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "More Judges; Better Justice," published in the Christian Science Monitor of June 8, 1960. The editorial deals with this subject.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE JUDGES; BETTER JUSTICE

After more than 5 years of delay since the last such authorization, the Judiciary Committee of the House of Representatives has approved a bill which would create badly needed additional judgeships to relieve congestion in Federal courts.

The Judicial Conference, representing all the Federal tribunals, recommended addition of more than 50 new judges in order to handle a growing caseload. This has been endorsed by the Department of Justice and the President.

The legislation now apparently headed for action in the lower house of Congress would provide only 35 of this number. But it would help to relieve a condition that has resulted in severe delays of justice especially in New York, Philadelphia, and other metropolitan areas. A bill to provide for 25 new judges was reported by the Senate Judiciary Committee last year but awaits a place on the calendar.

Much of this dilatory record is due to friction between a Democratic Congress and the administration over creation of appointments to be made by a Republican President. Only a few of the vacancies could be filled during the remainder of the Eisenhower term, and Attorney General William P. Rogers has pledged that half these seats will be given to Democrats. Bipartisanship in such appointments should become the rule under whatever administration.

Allowing time for the slow process of selection and confirmation of nominees for the bench, the delay in bringing the Federal judiciary up toward a reasonable minimum in manpower will at best be serious. Congress should certainly make a bill for new judgeships a matter of must legislation before adjournment.

Mr. JAVITS. Mr. President, in the House of Representatives a bill has been reported which provides for 35 new judges. One such judge would be assigned to the eastern district of New York. The southern district of New York would receive three of the new

judges, and the Second Circuit Court of Appeals would receive one.

My colleague from New York [Mr. KEATING] and I have proposed that the Second Circuit Court of Appeals get one additional judge, the eastern district of New York two, and the southern district of New York four. It seems to me that the House bill is so very close to what we have in mind that this matter should be acted on now as a fair compromise.

I point out also that the Judicial Conference has recommended 50 judges, and that the President yesterday, in sending his message to Congress, urged that we act upon this matter as greatly important, unfinished business, so as to provide more judges.

I conclude upon this point: I know of practically no matter, other than the subject of war and peace, which intrudes so personally upon the lives of the citizens as the inability to get justice in time. We lawyers know that, very often, justice deferred is justice denied. I know of no matter which impinges upon the lives of individuals so intimately as that.

In view of the encouragement given by the majority leader in his statement of yesterday, I hope that thoughts of patronage, which are completely under control, will be laid aside, and that we may have action at this session on a judgeship bill such as that which has been reported by the House Committee on the Judiciary.

CIVIL RIGHTS

Mr. JOHNSON of Texas. Mr. President, may we have a ruling on the request of the Senator from Pennsylvania that the bill be laid on the table.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). The Chair is about to rule.

Mr. SALTONSTALL. Mr. President, before the Chair rules, I should like to make a brief remark on the question of the interpretation of the rule. I call the attention of the Presiding Officer to Senate Procedure, page 106, the third paragraph:

Bills when introduced are read twice before their reference to the appropriate committees, and a motion to place a bill on the calendar or to refer it to a committee is not in order until it has had its second reading.

Under rule XXII, when a question is pending, no motion shall be received but, among other things, to lay on the table.

As I understand the situation, the bill has been read once, an objection was made to it, so that the objection had to go over to the second day. If it is not in order to make a motion to refer it to committee, if it is not in order to make a motion to place the bill on the calendar on the first reading of the bill, what question is before the Senate?

Why is there any question before us that can be the subject of a motion to lay on the table? The only argument is that the whole bill is before the Senate for its consideration, but it is not before the Senate for its consideration on the first day, when it has been read once.

I call that to the attention of the Presiding Officer, because it does not seem

to me, in logic, that any question is pending before the Senate on which a motion to lay on the table can be made.

I say this most sincerely, as a parliamentary matter, not to raise any question on the merits or demerits of the matter pending before the Senate. However, if a motion cannot be made to refer a bill to a committee, and if a motion cannot be made to place a bill on the calendar, what question is before the Senate on which a motion to lay on the table can be made?

Mr. JOHNSON of Texas. The bill itself.

The PRESIDING OFFICER. The Chair rules as follows: Rule XXII, paragraph 1, provides:

When a question is pending, no motion shall be received but—

Then certain motions are enumerated, including a motion to lay on the table.

The Chair held that a motion to lay on the table was under rule XXII, not under rule XIV, and was therefore in order.

Mr. PASTORE. Mr. President, has this question been disposed of?

The PRESIDING OFFICER. Yes.

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island bear with me for 30 seconds?

While the minority policy committee was in session downstairs, and in the colloquy which ensued on the floor, the majority leader made this statement—and I hope he will correct me if I am in error:

While we have had two rollcalls, I think they are legitimately absent, but I do move that the Sergeant at Arms of the Senate, in view of their great interest in this matter, be instructed to request the attendance of the minority.

The rule provides for an instruction to the Sergeant at Arms to require the attendance of absent Senators, not the minority.

Mr. JOHNSON of Texas. I shall be glad to correct that statement. As I viewed the situation at that time, only three or four Members of the minority were on the floor. The bill was a minority bill. The minority had an unusual interest in it. I wanted to be certain that the minority leader and all his colleagues were adequately informed, because there had been two rollcalls, and they had not responded. I felt that I should make it abundantly clear that we were about to have a yea-and-nay vote on the motion to table.

If in any way it is felt that this language is offensive, I will suggest that it be changed so as to read that the minority and majority Members of the Senate be informed. However, the majority had some 40 of its Members present at the time. We had called each one of them personally on the telephone. I had suggested earlier that the minority Senators be present, so that the vote would not be delayed.

Mr. DIRKSEN. The minority Members of the Senate were only 200 feet away from the Chamber. The rule is the rule.

Mr. PASTORE. Mr. President, I have the floor.

Mr. DIRKSEN. All right. I will let the language stand for what it is.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have the language changed.

Mr. PASTORE. Mr. President—
The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to have the attention of the Senator from Illinois. I ask that the language in question, which relates to the minority being requested to attend the session of the Senate, be modified so as to provide that the Sergeant at Arms request the attendance of all absent Senators.

The PRESIDING OFFICER. Is that a unanimous-consent request?

Mr. JOHNSON of Texas. Yes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE ANTARCTIC TREATY

The PRESIDING OFFICER. The hour of 2 o'clock has arrived, and the morning hour is concluded.

The Chair lays before the Senate the pending Antarctic Treaty, which will be stated by title.

The CHIEF CLERK. Executive B, 86th Congress, 2d session, the Antarctic Treaty, signed at Washington on December 1, 1959.

LIMITATION OF TERM "WATER-PROOF" WHEN APPLIED TO COTTON CLOTH OR FABRIC

Mr. PASTORE. Mr. President, I introduce for appropriate reference a bill to limit the term "waterproof" when applied to cotton cloth fabric. The purpose for my introducing this bill is to implement an urgent appeal for relief made to me by Mr. Gordon Osborne, president and treasurer of the Warwick Mills, of West Warwick, R.I.

I have a letter under date of August 4 from Mr. Osborne which explains the situation quite thoroughly, and which I shall read into the RECORD at this point as part of my remarks:

WARWICK MILLS,

West Warwick, R.I., August 4, 1960.

The Honorable JOHN O. PASTORE,
Providence, R.I.

DEAR SENATOR PASTORE: Warwick Mills was founded in 1896, and has operated in the town of West Warwick ever since. It has approximately 16,000 spindles and employs 250 people. We specialize in spinning and weaving fine combed cotton yarns for industrial uses, such as filter fabrics, pump diaphragms, airplane wing fabric, billing and typewriter ribbon cloth, and balloon and dirigible fabrics. As a matter of fact, from the time we made the balloon cloth that set the world's altitude record for the U.S. Air Force in 1935, we have made every yard of fabric for the Navy's lighter-than-air program. No other mill in America or abroad has been able to meet these exacting specifications.

Typewriter ribbon fabric is a very difficult product to make. It accounts for almost 50 percent of our production and this output is almost 50 percent of the total of all domestic typewriter ribbon cloths. In fact,

there are only two other mills today besides Warwick which make this fabric.

Until recently, Warwick Mills had enjoyed a long-term period of this successful operation. Since I became a member of the staff in 1933, we have had profitable operations in each and every year except the last 2 years. The mill has a reputation for steady and continuous operation, and over 80 percent of our employees have been with us for 10 years or longer. The impact of imports of foreign typewriter cloth have been increasingly severe, and for the last 3 years we have operated our type division at a serious financial loss. Not only have these imports increased each year, but the price at which they are sold has decreased. If we are not able to operate our typewriter ribbon production at a reasonable profit, we would be in an untenable situation. The unanimous recommendation of the Tariff Commission will tend to rectify this predicament when it is approved and effective. However, should the determination of the Customs appraisers that grey typewriter ribbon fabric be classified as "waterproof" (sec. 907) with its drastically lower duty remain so, the future of Warwick Mills will be indeed grim, and can only lead to its liquidation or bankruptcy.

Warwick Mills is one of the few remaining cotton spinning and weaving mills in Rhode Island, and as a unique organization—with unequalled skill and knowledge—is well worth saving. Your sympathy, understanding, and help will be most appreciated.

I am enclosing a copy of my testimony before the Tariff Commission in April of this year.

Yours sincerely,

GORDON OSBORNE,
President and Treasurer.

Mr. President, I ask unanimous consent that the testimony referred to be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GORDON OSBORNE, PRESIDENT OF WARWICK MILLS, BEFORE THE TARIFF COMMISSION AT ITS HEARING RE COTTON TYPEWRITER RIBBON CLOTH ON APRIL 20, 1960

My name is Gordon Osborne. I am the president of Warwick Mills, a 17,000-spindle cotton mill founded in 1896 and located in West Warwick, R.I. We employ about 250 persons.

Our mill produces fine combed cotton textiles exclusively and specializes in the production of industrial fabrics. The mill has been producing these special fabrics for about 40 years. At one time it also made some fine combed apparel fabric, but in the last 20 years production has been concentrated on mechanical fabrics made to rigid specifications.

Of these mechanical fabrics, one of the first, and by far the most important, was, and is, typewriter ribbon cloth. This fabric today comprises approximately 50 percent of the total production of our mill—whether measured by machinery employed, pounds of cotton and man-hours of labor expended, dollars of cost or sales volume; in fact, by every criterion but profitability.

Our typewriter ribbon fabric is sold by our agents, Wellington Sears Co., Inc., to concerns who use the fabric in the manufacture of ribbons not only for typewriters, but for all kinds of business machines and computers.

The layout of the machinery at Warwick Mills, the training of its labor force, and all other aspects of its production organization are designed and fitted for the production of high count, lightweight industrial fabrics. When I say that the layout of the machinery at Warwick is designed for the

production of such fabrics I mean that the 300 or so looms which we have at the mill are all employed in weaving such fabrics, and that the preparatory work of picking, carding, drawing, spinning, and slashing which are performed in our fully integrated mill require, as a practical matter, that all of these looms be engaged in making fine woven fabrics having many common properties of weight and construction. With this specialization it is not practical to convert half of the mill to the production of other lines of fabrics or to other purposes.

Nor can Warwick suspend or even curtail the typewriter ribbon cloth part of its production and continue to operate. A mill of Warwick's size must operate on a full three-shift basis to absorb its fixed costs and to maintain the high quality necessary to sell in the highly competitive field of mechanical and industrial fine fabrics. If one section of the mill is shut down or curtailed it affects the efficiency and quality of all lines of the mill's production.

Because of these characteristics of our mill, it is essential that it be able to continue the production of its present volume of typewriter ribbon cloth; but from an economic point of view, this cannot be done unless the production of typewriter ribbon cloth can be made profitable. Therefore, this investigation is of the gravest importance to us.

Warwick produces a substantial part of the typewriter ribbon cloth produced in the United States (last year about 45 percent), and that suspension of its production of typewriter ribbon cloth would have the effect of depriving the country of an important part of the domestic capacity for the production of this material. This capacity could be replaced in times of national emergency only with the greatest difficulty.

I became a member of the staff of Warwick Mills in 1933 and have been continuously employed by Warwick ever since. I know that from 1933 through 1957 this mill returned a net profit after all charges in every year. In 1958, however, the mill showed a serious operating loss, and it also operated at a loss in 1959.

Prior to 1955, as far back as our records go, our typewriter ribbon fabrics—produced by what is generally considered a highly efficient and scientific process—sold at a profit. Warwick began to lose money on typewriter ribbon fabrics in 1956 and all years since then have been unprofitable so far as these products are concerned.

During the same period—1956 through 1959 (with the exception of 1958 when the sharp drop in cotton prices resulted in serious inventory losses)—profit trends on all other products of Warwick Mills, taken together, were static or rising. Nevertheless, the profits on these other products have not been sufficient to keep Warwick Mills from becoming a net loss operation. We have now reached the point where these losses are eating into the mill's capital.

Since 1955, we have experienced increasing competition from imported typewriter ribbon fabrics. We have felt this competition not only in the form of reduced prices and other financial concessions granted by the sellers of these foreign fabrics, but also in the increased volume of imports.

When the first serious effects of foreign competition became evident, we decided to hold the prices of our goods at a level which would allow us at least to break even on production costs. We found, however, that this resulted in diminishing sales and in rapid increases in our inventory. In the space of 3 years from October 31, 1955, to October 31, 1958, our inventory of typewriter ribbon cloth rose from 114,987 square yards to 830,569 square yards (more than 700 percent), in spite of the fact that our prices of typewriter ribbon cloth (both grey and finished) remained substantially con-

stant from the beginning of 1955 through the beginning of 1957 and declined by about 5 cents a yard from February 1, 1957, to October 1, 1958.

In view of this alarming state of affairs, we changed our policy late in 1957 and have since then followed a policy of balancing sales against production in order to maintain production and reduce our inventories to a reasonable level. To do this, we have found it necessary steadily and constantly to reduce the prices of our typewriter ribbon fabrics. For instance, our price reached a low point in 1959 of 62.5 cents a yard for 270 count finished cloth which was down 8.75 cents from our price in the last quarter of 1956. The declines in other grades of cloth, both grey and finished, were equally sharp. This trend in prices has not changed.

As a result of this program of meeting the foreign competition (and assuredly it is foreign competition, for our domestic competitors have not forced prices down) we have been successful in keeping our mill in full operation, and in retaining our skilled workers. Volume has not, however, meant profits; the operations both of our typewriter ribbon cloth line taken alone and, because of typewriter ribbon cloth, of the entire mill, have been conducted at a loss during both of the past 2 years. As I am sure you are aware, this has not been the overall experience of the cotton textile industry in the past year. The unhappy situation of the producers of typewriter ribbon cloth cannot be attributed to any general or textile business recession. We are suffering from the pressures of low-priced imports.

From a production point of view typewriter ribbon fabrics are the most stable fabric Warwick Mills makes. It has been the practice of the mill to put approximately half of its looms on various constructions of typewriter ribbon cloth, and to run these looms steadily (as a group) for long periods of time (the only change being from construction to construction). As this amounts to approximately half of the mill's output, it has been a stabilizing factor of real importance. It avoids the cost of constant loom changing, gives high efficiency of production with a minimum of rejects or seconds, and has enabled us to plan production, inventories, raw material requirements, and the supervision of our work force with maximum advantage.

The other fabrics which Warwick makes, such as lightweight aeronautical fabrics and fine filter cloths for the chemical industry, are so specialized that were we forced to suspend typewriter ribbon cloth production there is no prospect of increasing our sales and output of these other fabrics to the extent necessary to make use of the equipment and workmen now employed in the making of typewriter ribbon cloth. Nor are there other fabrics, which our mill would be fitted to produce, to which we could turn. Our ability, therefore, to manufacture and sell typewriter ribbon fabrics at a reasonable profit is the most important single element in respect to the future of the mill and its continuing operation. Without a reasonable assurance of such ability it is doubtful if Warwick Mills can continue to operate.

Mr. PASTORE. Mr. President, it is quite evident that the practice that has been employed by foreign manufacturers of this cloth is purely and simply a subterfuge in contravention of the true intent of the tariff law insofar as waterproofed materials are concerned, and constitutes a loophole which I feel should be closed, and closed promptly.

The time might well come when the facilities of the Warwick Mills with regard to the production of this and other very fine cloth which is used in our na-

tional defense would no longer be available to us, if the prediction made by Mr. Osborne in his letter were to come true and if the Warwick Mills were forced to close. In addition to the disastrous result to our national defense, 250 jobs would be eliminated in my State, which can ill afford this further blow to its economy.

The incongruity of the situation is that this type of unfinished typewriter-ribbon cloth is being classified as "waterproof cloth" and comes under a very low tariff of 11 percent, as against 20 to 32 percent ad valorem, when the real purpose of this cloth is to be absorbent, not waterproof, in order to be used as typewriter ribbon. Everyone knows that typewriter ribbon is used to absorb ink, not to repel it. Yet these foreign manufacturers are making it into waterproof material, in order to come under the low tariff; and once it gets into our country, the repellent has to be washed off, in order to make the cloth absorbent. Yet through the employment of this loophole, these foreign manufacturers are able to perpetrate this subterfuge, very much to the detriment of our own domestic manufacturers.

Let me say that the cotton typewriter-ribbon cloth industry has been severely damaged in recent years by an increase in imports, which in 1959 alone greatly exceeded the domestic production of this cloth. What is important is that the U.S. Tariff Commission, after thorough investigation and public hearings, found that typewriter-ribbon cloth, to quote the Commission, "is being imported in such increased quantities—as to cause serious injury to the domestic industry," and, further, that it is necessary to increase the duties. The Commission then recommended that the tariff concessions granted in GATT be withdrawn. I may add that the Commission's findings and recommendations on this score were unanimous.

I am very happy to observe that the Senator from Connecticut [Mr. BUSH] is lending a very attentive ear, because there are two of these mills in his State of Connecticut.

My intense interest in this matter, Mr. President, lies in the fact that typewriter-ribbon cloth used in typewriters and other business machines is produced in two mills in Connecticut, one in Rhode Island, and two in South Carolina.

I may add that imports come principally from England and Holland, with Japan in third place. U.S. production of cotton typewriter-ribbon cloth has dropped from 5,800,000 square yards in 1955 to 2,911,000 square yards in 1959, a decline of 42 percent. On the other hand, imports of cotton typewriter-ribbon cloth in 1959 amounted to 4,931,000 square yards, or 169 percent of domestic production. The prices for U.S. typewriter-ribbon cloth have declined steadily since 1957, employment has fallen off, and the domestic producers as a group have suffered losses for the last 3 years.

The reason for this bill is precisely this: After the hearings, and when the findings of the Commission were made public, it was disclosed for the first time that henceforth customs appraisers will

treat "unfinished cotton typewriter-ribbon cloth" as "waterproof cloth" and will permit it to be imported under paragraph 907, rather than under paragraph 904, of the tariff law. This means that the present inadequate duties—and, I repeat, the present duties are inadequate—of from 20 to 32 percent of ad valorem will be reduced to 11 percent, and the recommended increase in duties of 28 to 48 percent ad valorem will not be applied to unfinished cloth.

Mr. BUSH. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. BUSH. I am very glad the Senator from Rhode Island has brought up this question today. The industry concerned is not an extremely large one; in fact, it is relatively small. So I do not think that giving it a fair deal will greatly influence our balance of exports over imports, or vice versa. But this is a very important matter to certain areas to which the Senator from Rhode Island has so carefully referred.

Mr. PASTORE. Let it be understood that the industry is a very important one, although at the present time it is not a large industry. But, after all, these are the only concerns in the United States which manufacture very, very fine fabric products which are used in balloons and for airplanes and parachutes. If this industry is put out of business, who knows what harm may be caused to the security of our country?

Mr. BUSH. The Senator from Rhode Island is absolutely correct. I did not mean to minimize the importance of the situation insofar as this industry is concerned. I only have in mind that it is fortunate that in this case the industry is not a gigantic one, such as some others.

Mr. PASTORE. Such as General Motors.

Mr. BUSH. Yes, or the automobile industry.

Mr. PASTORE. Yes.

Mr. BUSH. I say this because I think the President, in reaching his decision, should be influenced by the fact that this is a relatively small matter in connection with the exports and imports of this country, but is vital for the reasons the Senator from Rhode Island has so ably pointed out.

I wish to say to the Senator from Rhode Island that only yesterday I cooperated with the industry—as no doubt he has—in arranging appointments for representatives of the industry to call on the executive offices, including the White House, and on the Secretary of Commerce, in order that they may make their plea to the President and to his advisers that the action by the Tariff Commission in this matter be sustained by him.

Mr. PASTORE. That is a very desirable step, and I shall lend my support, in any way I can, to any action that my distinguished colleague from Connecticut feels is desirable in trying to get this matter straightened out on the administrative or executive level, as we have done with respect to cotton and woolen goods. I want to compliment my colleague from Connecticut for the excellent work he

has done within this area in protecting the textile industry of the United States of America. But in this case I think we are up against this difficulty: The Customs Bureau has made a ruling as to what is waterproof or is not waterproof. If cloth is waterproof, it comes in under a 11-percent tariff. If it is not waterproof, it comes in under a tariff between 20 and 32 percent. Certain manufacturers are making this cloth, which is really absorbent, into waterproof cloth so it can get into this country under a smaller tariff. Then when the cloth is here, they wash off the waterproofing. If that is not a loophole, I have never heard of a loophole.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. PASTORE. In just a moment. We are actually encouraging our friends abroad to become deceitful; and it is wrong. If a cloth is to be absorbent, why do they have to make it waterproof and then, when it gets here, wash the waterproofing off? How ridiculous can we become?

Mr. BUSH. I fully agree with what the Senator from Rhode Island has said. I wish to ask him a question. Is this determination of whether a cloth is waterproof or not waterproof a ruling of the Tariff Commission or of the Internal Revenue Bureau?

Mr. PASTORE. It is by the Customs Bureau of the Treasury Department.

Mr. BUSH. It was not a ruling of the Tariff Commission?

Mr. PASTORE. It was determined by the Court of Customs, because there is some formula by which the cloth is deposited in a receptacle containing water, the so-called cup test, and if the water does not go through the cloth it is deemed to be waterproof. I suppose there are a thousand different ways of killing a pig. These people are employing intrigue and deceit in order to subvert the purpose of the law. All we are doing by this amendment is saying the ultimate objective of the cloth—its end use—should determine whether or not it should be admitted as waterproof. In other words, if it is to be used for making a tent, it ought to be termed "waterproof." If it is to be used for a raincoat, it ought to be termed "waterproof." But if it is to be used as a "blotter," it should not be made waterproof first, and then, after the cloth gets into the country, washed out and used as a "blotter."

Mr. BUSH. I believe this is a ruling which has been made by the Collector of Customs. I think it is an unfortunate ruling. I want to add my voice of protest to that of the Senator from Rhode Island that this kind of ruling can be made. It is unfortunate that this kind of subterfuge can be resorted to by someone down the line in the Government, in the collector's office. I heartily join with the Senator from Rhode Island in this protest.

Mr. PASTORE. I thank my distinguished colleague from Connecticut. This is not the end of it. I only hope this proposal will go before the appropriate committee. I understand Representative MILLS has already introduced a bill on this subject in the House. My bill is

comparable to it. There has been some indication there will be consideration of it during this extraordinary session, but, if the matter is not considered, I would hope we would append the proposal to some pending legislation, or possibly work on it the first of next year. However, what I am seeking to demonstrate is that we should rectify our tariff laws so we do not make "Philadelphia lawyers" out of friends all over the world, trying to find ways and means of subverting the law—and I say that with due respect to my colleague from Philadelphia. [Laughter.]

In other words, let us not encourage our friends to contravene the intent of our law by finding ways and means, through loopholes and subterfuge, to defeat the very purpose of the law. If it is waterproof cloth, let us say so, and have it come in under the waterproof cloth categories. If it is not for waterproof purposes, let us say so.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. BUSH. Two or three years ago we had a similar case with respect to rubber-soled footwear. By slipping a leather liner into the sneaker, as we call it in this country, they were able to get a ruling from the collector that this was not rubber-soled footwear. The Honorable Antoni N. Sadlak, then Congressman at Large from Connecticut, introduced a bill to close that loophole, and I introduced a companion bill here.

Mr. PASTORE. The Senator from Rhode Island supported that legislation.

Mr. BUSH. The Senator did support it. That was a similar case to what the Senator is now talking about. If it is necessary to offer special legislation, I want him to know he can have my support.

Mr. PASTORE. I thank the Senator. At the time I made it my special point of business to get in touch with our distinguished chairman of the Finance Committee [Mr. BYRD of Virginia].

Mr. BUSH. I know the Senator did.

Mr. PASTORE. We had a hearing. That bill was immediately reported. Certain manufacturers were putting a leather tongue on a sneaker, and it came in as rubber goods.

Mr. BUSH. And rubber-soled footwear.

Mr. PASTORE. What are we doing?

Mr. BUSH. Fooling the people.

Mr. PASTORE. I thank the Senator for the answer.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CARLSON. As a member of the Finance Committee, I well remember the Senator's appearance, and we were glad to have his assistance in the matter.

Mr. PASTORE. That is correct. I want to thank the Senator from Kansas for always exhibiting an understanding consideration of policies that do irreparable harm, because they lead to deceitful practices and should be eliminated.

It has been brought to my attention that importers are already taking ad-

vantage of the lower duty although the cloth, after being imported, must be finished to remove the starch in order to make it ink absorbent and no longer waterproof.

This, to me, is a loophole. I could use a harsher word, but I will not. I may say to the Members of the Senate that Mr. WILBUR D. MILLS, chairman of the House Ways and Means Committee, has introduced legislation to which my bill is comparable. The House bill is H.R. 12437. His bill, like my own, would require classification of waterproof cloth according to the end use of the material, thereby closing the loophole precisely as the case should be.

I fully realize that it is the intention of the leadership on both sides of the aisle to confine this extraordinary session of the Congress to legislation which is considered to be top priority in our national well-being. But the passage of this bill is very important, inasmuch as it seeks to protect the jobs of American workers which might well be lost unless this loophole is closed.

But what is even more important, if the few mills which manufacture these very fine clothes, which, in many instances, are an integral part of our defense, the resulting damage to our overall security will be much more serious than we are able to perceive at the moment. Therefore, I strongly urge the members of the Finance Committee, to which in all probability this bill will be referred, to give serious attention to and speedy consideration of this legislation; and I shall be very willing, if they so desire, to appear at any time, at their convenience, to elaborate on the remarks that I am making today.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3828) to limit the term "waterproof" when applied to cotton cloth or fabric, introduced by Mr. PASTORE, was received, read twice by its title, and referred to the Committee on Finance.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. PASTORE. I yield.

Mr. BUSH. I do not want to intrude on the Senator's remarks, but if the Senator wants sponsors, I shall be glad to join as a cosponsor.

Mr. PASTORE. I shall be glad to have the senator join.

Mr. BUSH. But my point is a bill of this kind should come from the House of Representatives first.

Mr. PASTORE. A similar bill is there now. I thought if I introduced the measure it could be considered in committee. Then if the bill is passed in the House the spadework will have been done in the Senate. That is the only purpose I have in introducing it, so it will not be a new matter.

Mr. BUSH. I hope it will work out that way, although we have had bad luck with them once or twice.

Mr. PASTORE. I hope we will have better luck this time.

PHILADELPHIA LAWYERS, LEATHER-TONGUED SNEAKERS, AND WATERPROOFING

Mr. SCOTT. Mr. President, the distinguished Senator, my friend from Rhode Island, has spoken of a matter of considerable importance. In the course of his talk the Senator made reference to or used some phrases which I should like to use in another connection, if the Senator has no objection.

The Senator from Rhode Island referred to Philadelphia lawyers. I am a Philadelphia lawyer. The Senator then referred to leather-tongued sneakers in the shoe trade. And the Senator has referred to the deceit involved in waterproofing items and then going somewhere else and washing off the waterproofing.

I wish to apply each of those three remarks to what has been done in the rather swift and untimely execution ceremonies, by which the President's request for civil rights legislation was defeated by the action of almost the entire majority party over the objection of virtually the entire minority.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. SCOTT. I yield for a question.

Mr. PASTORE. I merely wish to say, anticipating what the Senator is going to say, realizing that the Senator comes from the other side of the aisle and that the remarks have nothing at all to do with the subject I brought up today, I respectfully disassociate myself from any similes or metaphors the Senator might attach to any statements I made.

Mr. SCOTT. I thank the Senator from Rhode Island. Since the Senator has not patented the similes or metaphors I now beg leave to make them my own, and so do.

This unseemly reversal of promises duly made in the City of the Angels by those gathered there for the purpose of making promises, so quickly repudiated, does not require a Philadelphia lawyer's talent to see through, or to see through the devices which have been adopted here for this purpose. I do not charge that those visitors in the City of the Angels were in fact, as they drafted the civil rights plank in their platform, leather-tongued sneakers. No, Mr. President, I do not make that charge. I do say, however, that they promised everything in the civil rights platform this side of Paradise, and they managed to convey the general impression that with this and other promises the vista this side of Paradise was to be preferred to the farther view.

In presenting this proposal on civil rights, they waterproofed it. They waterproofed it in order to convince the people of this country that they had a salable promise or a salable product. They waterproofed it, hoping the waterproofing would last until the latter part of this year. But, as the Senator from Rhode Island has said, sometimes people take goods and waterproof them, and then bring them to another place and wash the waterproofing off.

Mr. President, this is what has happened. The waterproofed civil rights plank, adopted in the City of the Angels by temporary residents of that community, who are therefore not necessarily entitled to that same appellation, was brought here in the hope that no one would bring up their embarrassing situation, if called upon to keep their promises.

Only yesterday a very distinguished Senator who sits on the back row made a statement outside of this body that the Republican Party had not been vigorous enough in securing passage of those two provisions which had been deleted from the proposed civil rights law of 1960, and which the President had asked to be restored. This distinguished Senator, who, by the way, failed to vote on either of these measures when there was an opportunity for vigor, as I have elsewhere noted, called for vigor. There was an opportunity for vigor today, because today the Senator from Illinois, the minority leader, introduced, at the President's suggestion, these two features of the Civil Rights Act.

What we have witnessed here was indeed vigor, but it was the vigor of a group of undertakers engaged in a mass burial. It was the vigor of those who wished earlier action to be forgotten as the warm, clean odors of the upturned soil enveloped their promises so recently conceived in the City of the Angels.

So, Mr. President, many a quondam advocate of civil rights reversed himself today. Many a noble assurance of support of civil rights was forgotten today. Many a speech made to many a group was relegated to the limbo of remarks which had better be forgotten, as the authors of this eloquence joined in a mass operation to destroy, by a parliamentary tactic, without debate, without consideration, and without any desire to permit anyone to discuss the civil rights of Americans, a civil rights program which might have been enacted by a Congress of men of good will intent on keeping their promises. I am sure that men of good will were involved here on both sides of the aisle, but the result must speak for itself.

No amount of pleading that other proposed legislation should take priority will deceive those who wonder why there is not at least some downpayment in August on the promises of the majority holding two-thirds of the membership of both Houses. No statement that other priorities are higher will deceive those who have followed the course of these proceedings. No statement that we must have time, indeed, to pass other measures which we might in fact have passed had we been so minded in the regular session of the Senate will deceive those who gave credence to, those who faithfully believed in, those who relied upon the promises made in the City of the Angels.

Mr. KEATING rose.

Mr. SCOTT. Mr. President, I yield to my friend, the junior Senator from New York.

Mr. KEATING. Mr. President, I wonder if the Senator will yield for a question.

The Senator referred to waterproofing. Does not the Senator feel perhaps "waterlogging" would be a better description of what was done to the legislation which was offered?

Mr. SCOTT. Well, the plank was originally waterproofed, and then the waterproofing was washed off, and the plank is now waterlogged.

Mr. KEATING. It is waterlogged. [Laughter.]

Mr. SCOTT. There will, of course, be other planks which were heretofore waterproofed which will be dewaterproofed and will be waterlogged, as the session proceeds in its course of futility and of promises unkept.

Mr. KEATING. Exactly. I appreciate the clarification of the distinguished Senator from Pennsylvania.

I should like to ask the Senator another question. When we observed the march, as the Senator puts it, to the City of the Angels, and the enactment of a platform—I am referring now to the platform on this specific subject—which expressly called for the enactment of the very provisions which we have today endeavored to give an opportunity to be voted upon here, does not the Senator feel that the action of those who enacted that platform and then, as the Senator will remember, warmly embraced it, may cause a high degree of cynicism in the minds of the American people about the strength of and the validity of platform promises?

We have heard that many of us in political life are sometimes prone to give certain credence to that cynicism. But the American people—and I hope that, insofar as possible, we as men in political life—support political platforms because they should mean something. But is not this performance likely to give rise to a considerable degree of skepticism and cynicism over the validity of platform promises?

Mr. SCOTT. I say to the distinguished Senator from New York that if members of the public do not become cynical about this performance, their capacity for cynicism and disillusion has itself been considerably watered down.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SCOTT. I yield to the distinguished senior Senator from New York.

Mr. JAVITS. I think the Senator from Pennsylvania is absolutely correct in expressing his indignation about what we have just seen in the Chamber. I think it proceeds upon two assumptions, which I do not think will escape the very serious attention of the American people.

One assumption is that civil rights legislation is, for some reason, to be graded down and is not as important as the particular legislation which has been named by the majority leader as proposed legislation we were called here to consider.

The second point is that the charge of politics is again intended to confuse and obfuscate in the eyes of the American

people the fact that when something is not done, nothing is accomplished, that inaction is the worst kind of bad politics.

I make the following statement because the words "partisanship" and "politics" are loosely bandied around. I do not think anyone will fail to approve what the Senator from Pennsylvania [Mr. SCOTT] has just said, because that is the function of the minority. Certainly it is very clear now that a minority is involved, and that it is intended to roll over them at every opportunity, regardless of the rightness of the cause.

It seems to me that this is a very important function for the minority to perform for the American people, and if we should fail to perform it, we would be untrue to our responsibility. At long last we are performing it, and I do not think we ought to quail or shudder at the charge of politics at all. I compliment my colleague for not being in any way intimidated by that charge.

Mr. SCOTT. I agree entirely with my colleague. I point out that it is perfectly proper for the press to regard a session called in August, following two political conventions, and called at the behest of the majority, as a session which is likely to be charged with politics.

Senators are themselves certainly engaged in politics. But I suggest that we have a higher obligation, and I am sure that no man in or out of this Chamber would dare to make the assertion, nor would any responsible member of the press make the assertion, that the two Senators from New York and the junior Senator from Pennsylvania [Mr. SCOTT] are not in themselves entirely sincere in their pursuit over more than a decade of efforts to secure legislation in the interest of human rights, human need, and human decency.

A pattern, as the senior Senator from New York has pointed out, is definitely appearing, and the public ought to know it. That pattern is obviously to use the two-thirds majority vote, which the majority has in both Houses, to steamroller proposals which the majority leadership, in its wisdom, regards as unimportant or as lacking in priority, and to dispose of such proposals as early as possible, in order to return to the hustings. The majority leadership attempts to bring out such selective matters as may seem in the wisdom of the majority leadership of both Houses to contain the greatest appeal in a political campaign, and to shut off debate on all matters which the majority leadership feels is not worthy of their austere consideration and contemplation, and to create a narrow, limited, agenda for this session on the ground that that is what we were called back to do.

This Congress was not called back merely to complete action upon any one or a limited number of measures. This Congress was called back to complete the unfinished business of the 86th Congress. As the President pointed out in his message, there were 27 particular measures which he requested, of which only 6 have been acted upon. The President was

right in asking for civil rights legislation. The majority was wrong in arbitrarily, without debate and without consideration, denying to the people of the United States even a fair consideration of civil rights proposals. I say that those who have taken this action must live with it.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. SCOTT. I yield to the junior Senator from New York.

Mr. KEATING. Does not the distinguished Senator from Pennsylvania agree with me that evidence is accumulating—and is accented here today in the performance that we have seen—to prove that this was all a grand design, and that many of us who opposed the present session when the question arose last July are seeing our direst predictions come to pass to a considerable extent by the action apparently to be taken here, in having the two-thirds majority ride roughshod over the minority?

Mr. SCOTT. I believe it is quite clear that the session is intended to be used as a forum for political foofaraw which some Members of the majority would have the people believe, rather than for the transaction of the public business.

We are called here to enact legislation which was not finished in this Congress, and which the President, our Chief Executive, has many times requested. We have heard much talk about sudden, last-minute requests from the Executive for this and that kind of legislation.

We know better than that. There have been many requests for a farm bill, for education, for area assistance. We know that the President of the United States has asked for a proper farm bill since he has been President and he has been denied such a bill. Certainly in the last 5 years he has not had the farm legislation which he needs to administer in the interest of the farmer, the consumer, and the public. He has asked over a period of years for area assistance where the need exists, and he has been denied it. Instead he has been twice offered a pork barrel by which the benefits have been so proliferated over so wide an area as to be of no substantial benefit to the areas of real chronic labor surplus.

The President has asked for a suitable aid-to-education bill to provide Federal grants in aid for the construction of schoolhouses, college dormitories, and other facilities, but he has been denied such legislation. He has been asking for it for years.

When I hear Senators speak condescendingly, as they do, and see them looking down their noses as they do, and imply that somehow the President of the United States has in some way failed in his duty, and say of him that "in the twilight of his term" he suddenly suggests these measures, I say, Mr. President, that the President of the United States has known where his duty lies. The people of the United States have known that their President is aware of where his duty lies. The people have recognized that the President in asking for legislation has asked for it in the

public interest and not in the interest of pressure groups or of small, self-seeking segments of our citizenship.

The President has been consistent. The failure lies not in the President of the United States, but, as was said by a poet you will recall—

The fault, dear Brutus, is not in our stars, but in ourselves.

Mr. KEATING. Mr. President, will the distinguished Senator from Pennsylvania yield further?

Mr. SCOTT. I yield.

Mr. KEATING. Does not the distinguished Senator find it rather interesting—and, if it did not involve many serious questions, rather amusing—that the reaction to the President's message when it was read in the Chamber was that the majority leader and his leader and their cohorts have told us that it sounded just like the platform they have embraced, and that they liked it because it contained so much of their platform?

Apparently they have been so absorbed in reading the Democratic platform that they have failed to read the platform drafted, not in the City of the Angels, but in a city nearer us, the city of Chicago.

In that platform one if not all of the recommendations made repeatedly by the President of the United States to this and, in many instances, preceding Congresses under the same control were adopted. It seemed to me—and I feel sure it did also to the Senator from Pennsylvania—quite amusing to note the reception which the President's message received in this Chamber from our colleagues on the other side of the aisle.

Mr. SCOTT. The distinguished Senator from New York is quite right. In fact, the majority leader referred to the message of the President of the United States as the Democratic platform. I do not accept that. I accept it as evidence of the President's own views and of his own platform. He said in Chicago he continued to have one, and he proved, when he sent his message to the Senate, that it was a good one.

However, if the majority leader or the majority leader's leader believes that the President's message was the Democratic platform, why should they not be in haste to enact it? Why are they setting out by this motion to table—and doubtless by other parliamentary maneuvers and motions which will follow—to defeat the recommendations of the President of the United States, which the majority leader himself says represent the Democratic platform? What kind of animal is this which sees in another the image of itself and then attempts to attack that image and succeeds merely in biting its own tail?

Concluding with that somewhat agitated simile, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

Mr. WILLIAMS of Delaware. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

[Ex. 1]

| | | |
|--------------|-----------------|-----------------|
| Aiken | Fong | Magnuson |
| Allott | Frear | Mansfield |
| Anderson | Fulbright | Monroney |
| Bartlett | Goldwater | Morse |
| Beall | Gore | Morton |
| Bennett | Green | Moss |
| Bible | Hart | Mundt |
| Bridges | Hartke | Murray |
| Burdick | Hayden | Muskie |
| Bush | Hickenlooper | Pastore |
| Butler | Holland | Prouty |
| Byrd, Va. | Hruska | Proxmire |
| Byrd, W. Va. | Humphrey | Randolph |
| Cannon | Jackson | Russell |
| Carlson | Javits | Saltonstall |
| Carroll | Johnson, Tex. | Schoeppel |
| Case, N. J. | Johnston, S. C. | Scott |
| Chavez | Keating | Smathers |
| Church | Kennedy | Smith |
| Clark | Kerr | Stennis |
| Cooper | Kuchel | Symington |
| Cotton | Lausche | Talmadge |
| Dirksen | Long, Hawaii | Thurmond |
| Dodd | Long, La. | Wiley |
| Douglas | Lusk | Williams, Del. |
| Dworshak | McCarthy | Williams, N. J. |
| Eastland | McClellan | Yarborough |
| Ellender | McGee | Young, N. Dak. |
| Engle | McNamara | Young, Ohio |

The PRESIDING OFFICER (Mr. KEATING in the chair). A quorum is present.

Mr. YOUNG of Ohio. Mr. President, during the past half hour or longer, just preceding the quorum call, we have listened to the distinguished junior Senator from Pennsylvania [Mr. SCOTT] talk about civil rights. Among other things, he discussed the fact that the junior Senator from Illinois [Mr. DIRKSEN] introduced, at the President's request, a civil rights proposal. The junior Senator from Pennsylvania stated, among other things, that this proposal has been coated over by the majority in the Senate. He used the expression that it was waterproofed by us. The distinguished junior Senator from New York [Mr. KEATING], who presently occupies the chair, substituted the word "waterlogging" for the phrase used by the junior Senator from Pennsylvania.

Mr. President, on this subject I propose briefly to state the facts. The facts are that from February 15 to May of this year the Senate debated the various civil rights proposals. Congress finally passed a bill, and the President signed it. There was at last enacted into law an effective civil rights act. During the course of the debate on that measure, by a margin of approximately three to one, the Senators on the minority side of the aisle voted to lay on the table a proposal substantially the same as the one the President now makes.

Let me say that during the long discourse by the junior Senator from Pennsylvania [Mr. SCOTT] he not only was waterproofing and waterlogging, but, Mr. President, in a manner he was seeking to place a political coating or veneer upon civil rights legislation in general, and in particular upon an effective legislative enactment of the Senate which occupied our time from February 15 to May.

In this connection, may I say that when the present occupant of the White

House was elected in 1952, he carried with him into the House of Representatives and into the Senate a large majority of the Grand Old Party, of which I am not a member. Although during the years 1953 and 1954 there was a Republican majority in both branches of the Congress, at the same time that there was a Republican President, not one civil rights measure was enacted into law. In fact, no serious attempt to do so was made. The record clearly shows that, Mr. President.

While the junior Senator from Pennsylvania was on the floor, Mr. President, I observed in the Washington Daily News of today, issued less than 2 hours ago, an editorial in which it is stated:

But if Congress took seriously this work assignment, it probably would still be in session on that day next January when it is to be succeeded by the Congress to be elected in November.

Mr. President, I shall not read all of this very fine editorial. Instead, I shall read only one more brief paragraph:

Further civil rights legislation is urged by both platforms. But this, we think, is not the time. Any serious effort to deal with it would block all other work of Congress.

Mr. President, a little more than 5 months from now we shall have a new President and a newly elected Congress. We shall convene in January, to proceed with our work for the welfare of our country and for the peace of the world.

The recent proposals and contemplated proposals to inject civil rights legislation at this time, if seriously undertaken, might wreck the hopes for relief of the aged and the underprivileged and the unemployed in the distressed areas of our country.

Mr. President, we have an obligation. No matter what the distinguished junior Senator from Pennsylvania may say in his references to the platforms—I refer to his references to “waterproofing” and “waterlogging”—we certainly have a duty at this session to pass the necessary appropriation bills and to complete the unfinished business of great importance which was pending at the time when Congress adjourned in July, so that the Members of Congress could proceed to the conventions of their parties.

The obligation to give effect to the 1960 platform pledges adopted at the Democratic National Convention in Los Angeles belongs to the new administration and to the 87th U.S. Congress. In my humble judgment we should not try to give effect to the 1960 political platform pledges by forcing new civil rights measures at this “cleanup,” final session of the 86th Congress.

Mr. President, it happens that I was born and reared on a farm in Huron County, Ohio, and lived there for a number of years. I remember an expression which was used there at that time, and probably is used throughout the country—“Clean up, and git.”

Truly, Mr. President, if we were to be diverted because of some political advantage which the junior Senator from Pennsylvania thinks his party might obtain by having a prolonged debate on civil rights, we would be neglecting the

truly important business before us, that the welfare of the aged and the welfare of the depressed areas of the country call upon us to attend to.

Mr. President, I had not intended to discuss this subject. In fact, I sought recognition at this time because I desired to address the Senate briefly upon another subject. But it seems to me that it was for political purposes only that this discussion was had by the junior Senator from Pennsylvania.

Mr. President, feeling that now I have dissipated by the liquid amber of my remarks the specious arguments made by the junior Senator from Pennsylvania [Mr. SCOTT] in regard to the action we should take on civil rights legislation during this short session, I wish to proceed to another subject, which I consider to be of great importance.

Mr. PROXMIER. Mr. President, will the Senator from Ohio yield very briefly? Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that at this time I may yield to the Senator from Wisconsin, without losing the floor.

The PRESIDING OFFICER (Mr. KEATING in the chair). Is there objection? The Chair hears none.

Mr. YOUNG of Ohio. Then, Mr. President, I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIER. Mr. President, I wish to thank the Senator from Ohio for his courtesy. I have been waiting since noon to make a brief insertion in the RECORD. But, first, I wish to congratulate the Senator from Ohio upon his remarks. I wholeheartedly concur in them.

Let us look at the record. The fact is that last March and April we had a real chance to pass a strong civil rights bill. But it is also a fact that on every vote, an overwhelming majority of Republican Senators voted against a strong civil rights bill and against FEPC and against the very measure for which they voted this afternoon.

What is the difference now? Last winter, when we voted on this issue, the fact is that Democrats north of the Mason-Dixon line voted overwhelmingly for this legislation—the record is very clear on that—and the Republicans voted against it. This time the situation is reversed. Why is that? It is because last winter we had a chance to pass a civil rights bill. We had plenty of time. It was possible for us to outlast a filibuster. At that time the Republicans were not willing to help us. This time they know perfectly well that there is not a chance in the world of passing a strong civil rights bill in the 2 or 3 or 4 weeks we have before Congress must adjourn. I congratulate the distinguished Senator from Ohio.

MEDICAL INSURANCE FOR AGED NEEDED BY THOSE UNDER 65

Mr. PROXMIER. Mr. President, last month both political parties committed themselves in their national conventions to pass legislation to provide health insurance for the aged. This is one of three or four major controversial legislative actions expected by the Nation

from this August session of Congress. The need is urgent. Wisconsin citizens continue to write to me, telling me, more persuasively than any speech could, the simple human reasons of personal experience that explain why we should act promptly and generously.

I ask unanimous consent, Mr. President, that a letter from a younger couple warmly applauding this legislation be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

DEAR SIR: Many of our would-be humanitarians preach State and local responsibility but then hold fast to a status quo position when a social program is suggested.

We are supposed to be the most charitable Nation in the world, and this is probably so, but our charity can also be an irony and paradoxical.

Hundreds of warehouses are bulging with surplus foodstuffs for other peoples, and we have and still are giving billions to questionable friends throughout the world, but I fail to see in a land of so much affluence where we have maintained a paralleling concern for the welfare of our elderly people.

My dad died in December 1958, at the age of 86, having been blind for the last 15 years of his life. My mother, age 82, lives in a \$45 per month apartment.

Both my father and mother have received fine medical attention. And the small social security payment of \$45 monthly that my mother receives has been invaluable in helping me with the expense.

So far as I am concerned, social security must be our greatest social achievement. It should be nurtured and strengthened.

I am 55, and my wife is 53, and we would like to start building a reserve for our own retirement, but this is clouded by the prospects of a considerably greater future cash outlay for both of our dependent mothers. Then, too, we never know if our own bodies will continue physically strong.

In the last 7 years, my contributions have totaled about \$5,000 gross, necessitating what I consider a good deal of retrenchment on the part of my wife and me.

Our friends wonder why we continue to drive a 1950 car.

RESOLUTION BY LUTHERAN LAYMEN'S LEAGUE

Mr. CARLSON. Mr. President, the Lutheran Laymen's League, at its annual convention held in Minneapolis July 10 to 13, adopted a resolution expressing its deep concern about the prevalence of violence, immorality, and bad taste in pictures, programs, and publications being disseminated by our mass communications media.

The Lutheran Laymen's League is an outstanding organization of Christian laymen, with a membership of over 120,000.

This organization does not ask for any form of censorship that will interfere with any person's constitutionally guaranteed right of free speech, but it is its sincere hope and concern that the National Government and our States will call conferences of citizens, with the hope that some solution can be arrived at for this most serious and pressing problem.

I ask unanimous consent that the resolution be made a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 60-04

Resolution on immorality, violence, and bad taste in pictures, programs, and publications

Whereas decent citizens of the United States and Canada are becoming increasingly disturbed by the prevalence of immorality, violence, and bad taste in publications, motion pictures, television and radio programs, and in the mass communications media generally; and

Whereas the fundamental values of respect for God, for human life, for marriage, home and family, for property, for virtue, for good name and reputation are being degraded and eroded by these unwholesome influences and materials; and

Whereas these evils can be combated and rooted out only by the united and persistent efforts of all decent citizens; and

Whereas we Lutheran laymen, as followers of the Lord Jesus Christ, must be in the forefront of this battle for decency and morality: Therefore be it

Resolved, That the Lutheran Laymen's League, assembled in convention in Minneapolis, Minn., from July 9 to July 13, 1960, hereby—

(a) Commends and supports the producers of all acceptable publications, motion pictures and television and radio programs for recognizing and discharging their moral responsibilities in this respect;

(b) Commends the Postmaster General of the United States for his diligent efforts to "clean up the mails";

(c) Encourage current efforts in the two Houses of the U.S. Congress to convene a conference of Federal, State, and local officials, together with representatives of other interested groups, to study this matter and make recommendations for ways and means to deal with the problem effectively;

(d) Take the necessary steps to have a delegate from the Lutheran Laymen's League and also a delegate from the Lutheran Church-Missouri Synod participate in such a conference;

(e) Make a determined effort, as individuals and as a group, to see to it that none of these offensive influences come into our own homes by way of publications and television and radio programs, and that we and the members of our families pledge ourselves to choose our entertainment outside the home carefully and in accordance with God's word;

(f) Pray fervently and frequently that Almighty God will strengthen each one of us, our families, our communities and our nations, so that we may overcome the dissemination of these unwholesome influences and lift our society to new and higher levels of morality, virtue and decency; and be it further

Resolved, That copies of this resolution be released to the public press for publication and that copies be sent to the appropriate officials of the motion picture industry, the radio and television industries, the publishing industry, to Members of the Congress and to other public officials and civic and religious leaders who are or should be interested in this matter.

ADDITIONAL FUNDS PROVIDED BY CONGRESS FOR DEPARTMENT OF DEFENSE

Mr. JOHNSON of Texas. Mr. President, just about an hour before today's session began, Secretary Gates sent me a reply to my letter of July 28, in which I requested him to advise me whether the Department of Defense intends to use the additional funds provided by the Congress for fiscal year 1961.

I have been told that replies to other requests for this information are being held up by the Pentagon until Secretary Gates' letter to me is released. While we have not had time to analyze the letter in any detail, I am anxious that the American people get all the facts as quickly as possible and, therefore, I have advised Secretary Gates that I would have no objection to the immediate release of his letter.

A quick reading of Secretary Gates' letter indicates that it does not provide all the information requested. For example, in my letter of July 28, I requested Secretary Gates to inform me whether he has rescinded or repudiated the memorandum issued by his office on June 9, 1960, which stated:

If the Congress makes available more funds for fiscal year 1961 than are requested, and where the law does not require expenditure, agencies should reserve the increases and carry them forward to the maximum practical extent to fiscal year 1962.

Unfortunately, there is no answer to this direct question.

My letter of July 28 also requested copies of the specific "shopping lists" submitted for approval by the military departments, as well as changes made by the Office of the Secretary of Defense and the Bureau of the Budget and the reasons for such changes. However, this information has also been omitted.

One thing is crystal clear from the information that has been provided. This is the fact that a substantial portion of the funds provided by the Congress are impounded and are planned to remain impounded for the rest of this fiscal year.

On July 7 the Department of Defense issued its financial plan for fiscal year 1961. This plan showed that \$1,097,633,000 was planned to be held "available for future requirements." This is Pentagon gobbledegook for the simple word "impounded."

The Department of Defense has now issued a revised financial plan for fiscal year 1961, which presumably ties in with the message addressed to the Congress by the President yesterday. This revised financial plan shows that \$621,302,000 is still impounded.

As yet, I have received no reply to my letter of August 2 asking the Secretary of Defense whether additional funds would be used in the event that the Congress, in discharging its constitutional responsibility and providing for the national defense, should decide to make funds available. In view of the fact that the administration has decided to impound \$621,302,000 of the funds already provided by the Congress, it is obvious what its policy would be with regard to any additional funds.

Mr. President, I ask unanimous consent to place in the Record at this point my letters to the Secretary of Defense of July 28 and August 2, and his letter of August 9 in reply to the first of these letters, and when I receive a reply to the second letter I should like to have unanimous consent to insert it in the Record, also.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
July 28, 1960.

Hon. THOMAS S. GATES, Jr.,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: It has come to my attention that a memorandum was issued on June 9, 1960, by the Office of the Secretary to the Secretaries of the Army, Navy, and Air Force and to the Assistant Secretary of Defense (Comptroller) which stated that:

"If the Congress makes available more funds for fiscal year 1961 than are requested, and where the law does not require expenditure, agencies should reserve the increases and carry them forward to the maximum practical extent to fiscal year 1962."

As you know, after careful consideration of the testimony presented by all the witnesses during 5 months of detailed hearings, the Congress, in dealing with the Department of Defense Appropriation Act, 1961 (Public Law 86-601), appropriated \$661,608,000 more than had been requested in the President's budget. This net increase of \$661,608,000 was the end result of various program increases of roughly \$1¼ billion and individual reductions totaling approximately \$1.1 billion.

I should like to know whether the memorandum of June 9, 1960, from which I quoted, has since been repudiated or rescinded. In addition, please furnish this subcommittee with a clear-cut statement concerning current Department of Defense policy with regard to immediate and full utilization of the additional funds provided by the Congress. This statement should cover each of the individual items or programs for which the Congress provided funds in excess of the budget request.

I should also appreciate your advising me as to the specific steps that have been taken, as well as those planned to be taken, in order to eliminate wasteful contracting, supply mismanagement, and other procurement deficiencies in order to achieve the economies called for by the Congress in making a 3-percent overall reduction in procurement funds.

Since the law requires funds to be apportioned within 30 days after enactment of the Appropriation Act, it is requested that this subcommittee be furnished with a complete accounting of the apportionment actions taken to date with respect to funds available for fiscal year 1961.

This should be supplemented with the following information (in duplicate):

1. All instructions—other than purely procedural—issued by the Bureau of the Budget and by the Office of the Secretary of Defense with respect to apportionments. This should include directives or instructions which would affect apportionments, such as directives or instructions dealing with obligational programs, expenditure objectives, etc.

2. The specific "shopping lists" submitted for approval by the military departments, as well as changes made by the Office of the Secretary of Defense and the Bureau of the Budget and the reasons for such changes.

3. Each successive Department of Defense "financial plan for fiscal year 1961," as well as any instructions accompanying the plan.

4. A statistical summary showing by appropriation, the amounts available for apportionment and the amounts apportioned to date. Explanation should be given of all amounts placed in reserve or not fully released for obligation or commitment.

I should appreciate this information being provided as quickly as possible, but in no event later than August 5.

Sincerely,

LYNDON B. JOHNSON,
Chairman, Preparedness Subcommittee.

U.S. SENATE,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, D.C., August 2, 1960.

HON. THOMAS S. GATES, JR.,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: During the forthcoming session of the Congress, consideration will be given to the need for additional funds for the programs essential to a strengthened national defense.

This consideration will cover such programs as Army modernization, Navy modernization, airborne alert, acceleration of ballistic missile programs, acceleration of military satellites, airlift, antisubmarine warfare, augmentation of manned bomber capabilities, augmented troop strengths, expanded research and development, and other high priority programs.

I should appreciate your advising me now whether such additional funds would be used, in the event that the Congress, in discharging its constitutional responsibility of providing for the national defense, should decide to make additional funds available.

If so, I should also appreciate your specific recommendations as to the amounts that can be used effectively during fiscal year 1961, what could be accomplished with such funds, and which programs the Department of Defense believes should be augmented or accelerated in order to assure that America's future military strength will be unquestionably second to none.

Sincerely,

LYNDON B. JOHNSON.

THE SECRETARY OF DEFENSE,
Washington, D.C., August 9, 1960.

HON. LYNDON JOHNSON,
Chairman, Preparedness Subcommittee,
U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of July 28, 1960, inquires about our plans for the utilization of funds appropriated by the Congress in excess of the President's January budget request. You realize, of course, that a large part of that addition consists of items recommended by the administration to the Senate Appropriations Committee subsequent to the January budget request. Included in that category are the additional funds requested for Army modernization, airlift, aircraft, Minuteman, Polaris, antisubmarine warfare research and development, Midas, Discoverer, Atlas, BMEWS and certain air defense programs, totaling over \$750 million.

In his special message to the Congress yesterday, the President made reference to the balance of the additional funds appropriated by the Congress. In more detail, the following decisions have been reached as of this date:

1. The Army National Guard and Army Reserve will be supported at strengths of 400,000 and 300,000 men, respectively, utilizing in full the additional funds appropriated for this purpose. About half of the additional funds provided for Army National Guard technicians will be used to equalize their pay rates with those prevailing in their communities.
2. The additional funds appropriated for the promotion of rifle practice will be used.
3. About \$28 million more of the additional funds appropriated for Army modernization will be utilized now to increase the rate of production of the new Army tank, leaving the balance for future consideration.
4. Additional funds provided for airlift aircraft will be utilized, in whole or in part, depending upon the specific programs to be determined shortly.
5. The airborne alert capability will be augmented, utilizing the additional funds appropriated.
6. Additional funds will be made available for the development of the B-70. The

technical details of this program are still under study and the exact amount which can be properly applied to it during fiscal year 1961 cannot yet be determined. However, it is presently estimated that about \$100 million of the congressional add-ons will be used, bringing the total for this program to about \$195 million for the current fiscal year.

7. The major portion of the additional funds appropriated for the Samos program will be utilized to provide an alternative approach to certain critical phases of this development. While this program, too, is under technical study, it now appears that another \$50 million will be utilized to bring the total for the combined Air Force Space Satellite program to \$427 million for the current fiscal year.

8. The Polaris program will be increased from three fully funded and nine partially funded submarines to five fully funded and five partially funded, utilizing most of the additional funds appropriated.

9. Also, because of the progress of the Polaris system, development of a considerably longer range Polaris missile will be initiated. This item was not included in either the January or the revised Defense Department budget request, or in the congressional add-ons. However, we believe that the additional funds required can be found by reprogramming within available resources.

We do not plan to use the funds appropriated by the Congress for additional interceptor aircraft because the bill as finally enacted substantially provided the funds requested for air defense, particularly for the Bomarc-B missile and the improvement of existing interceptors.

In view of the fact that the nuclear-powered attack submarines in the 1960 program have just been awarded, and because of the impact of the recent increase in the Polaris program, there are no immediate plans to use the additional funds appropriated for the SSN's in excess of the Defense Department's revised budget request.

Attachment A provides further details on the utilization of congressional add-ons.

As the President indicated, certain other measures designed to improve the readiness and posture of our forces have already been taken or are under consideration. A third attack carrier is being assigned to the 6th Fleet and three attack carriers will be retained by the 7th Fleet. These additional deployments will involve the recommissioning of two fleet oilers to support the increased level of operations in both the Atlantic and Pacific.

A number of B-47 medium bombers and their accompanying tankers, scheduled to be phased out of the force during fiscal year 1961, will be retained. Furthermore, the rate of operation of the entire B-47 force will be increased and their deployment further dispersed.

Army readiness will be further enhanced by an increase in the number and scope of strategic and airborne exercises.

Other than the additional readiness measures and the utilization of congressional add-ons, the fiscal year 1961 program as it now stands is essentially the same as that reflected in the justification material furnished to the Congress in connection with the fiscal year 1961 budget presentation. These and any future program changes will be reported to the Congress as required by the established reprogramming procedures.

None of these defense measures requires additional funding at this time. Some of them will be financed from appropriations already made in this session. With respect to other measures, we will meet their costs within available resources insofar as possible. If we should find that the additional readi-

ness measures cannot be accommodated within available appropriations we will promptly take the appropriate action to submit a supplemental request for the necessary funds.

I believe that the foregoing fairly answers your principal questions with regard to the utilization of the additional funds appropriated by the Congress. All of our programs, force levels and deployments are kept under constant review. Where technological breakthroughs occur, emphasis will be added; where programs are overtaken by events, terminations will be effected. This is in accord with the long-established policy of the executive branch; no change has been made in this policy.

With respect to the 3-percent across-the-board cut in procurement funds imposed by the Congress, we will, of course, make every effort to absorb the reduction in funds with a minimum reduction in program. As you know, the Department of Defense works continuously and systematically to improve contracting procedures. We feel that contract negotiations are being conducted on the basis of more complete and more accurate cost information for both the prime and subcontractor levels. Only last week I, together with the Chiefs of Staff and the service Secretaries, met with some 50 of the leading aircraft and missile manufacturers and construction contractors to engage their full cooperation and invite their counsel with respect to improving performance on our ICBM programs. We stressed the need for coordinating the efforts of the various participants in the program, improvements in quality control and labor productivity, and other measures which would assist in meeting activation schedules and in effecting cost reductions. Improvements in contracting procedures were also discussed. A more detailed statement on improvements in procurement and supply management is furnished in attachment B.

Whether we can absorb the full 3-percent reduction in procurement funds made by the Congress, amounting to over \$400 million, while concurrently making a substantial reduction in civilian personnel employed at the Washington headquarters, is still a question.

Your final question relates to the status of apportionment actions for fiscal year 1961. The attached schedule (attachment C) shows that 98 percent of the funds covered by Public Law 86-601 and planned for apportionment (excluding most of the congressional add-ons which were set aside for further study) were in fact apportioned within 5 days after the President signed the bill.

With respect to the funds not yet apportioned and the items "apportioned but undergoing review," I am sure you appreciate that not all service programs are ready to go forward at the time the bill is enacted into law. For many reasons—technical difficulties, changes in concepts, lack of definitive plans—additional time is frequently required in order to assure the development of valid programs. As a matter of good business practice, we must assure that the requirement is still valid in the light of present circumstances, and that all significant aspects of the program have been properly worked out before the funds are released.

Attachment D consists of the instructions issued in relation to fiscal year 1961 apportionment actions.

The last attachment consists of the three fiscal year 1961 financial plans which have been published to date.

We trust that this material will be adequate to your needs. We will be glad to provide such further explanations of the attached information as you may desire.

Sincerely,

THOMAS S. GATES, JR.

ATTACHMENT A

Department of Defense Appropriation Act, 1961—Analysis of planned utilization of additional appropriations provided by the Congress over the President's January budget

(Thousands of dollars)

| Item and appropriation title (1) | Gross increase provided by the Congress over the President's January budget (2) | Congressional reduction of 3 percent applied to procurement "add-ons" (3) | Additional appropriation provided by the Congress over the President's January budget (4) | Applied to "add-on" programs (5) | Not applied to "add-on" programs | |
|---|--|--|--|-------------------------------------|-----------------------------------|--|
| | | | | | Savings in 1-year accounts (6) | Unprogramed in no-year accounts (7) |
| Maintaining Army Reserve strength at 300,000 and Army National Guard strength at 400,000..... | 105,440 | | 105,440 | 105,440 | | |
| Reserve personnel, Army..... | 35,000 | | 35,000 | 35,000 | | |
| National Guard personnel, Army..... | 31,700 | | 31,700 | 31,700 | | |
| Operation and maintenance, Army..... | 38,540 | | 38,540 | 38,540 | | |
| Operation and maintenance, Army National Guard..... | 200 | | 200 | 200 | | |
| Increase for Army National Guard technicians program: Operation and maintenance, Army National Guard..... | 5,000 | | 5,000 | 2,600 | 2,400 | |
| Increase for promotion of rifle practice: National Board for the Promotion of Rifle Practice, Army..... | 201 | | 201 | 201 | | |
| Army modernization: Procurement of equipment and missiles, Army (total appropriation)..... | 204,600 | 1-46,248 | 158,352 | 65,302 | | 93,050 |
| Polaris, fleet ballistic missile submarines..... | 394,000 | -11,820 | 382,180 | 312,340 | | 69,840 |
| Procurement of aircraft and missiles, Navy..... | 95,000 | -2,850 | 92,150 | 55,290 | | 36,860 |
| Shipbuilding and conversion, Navy..... | 299,000 | -8,970 | 290,030 | 257,050 | | 32,980 |
| Antisubmarine warfare..... | 107,000 | -1,710 | 105,290 | 41,886 | | 2 63,404 |
| Shipbuilding and conversion, Navy..... | 57,000 | -1,710 | 55,290 | | | 2 55,290 |
| Research, development, test and evaluation, Navy..... | 50,000 | | 50,000 | 41,886 | | 8,114 |
| Airlift capability, additional aircraft: Airlift modernization, Air Force..... | 200,000 | -6,000 | 194,000 | 194,000 | | |
| Air defense, additional fighter aircraft: Aircraft procurement, Air Force..... | 100,000 | -3,000 | 97,000 | | | 97,000 |
| Airborne alert capability..... | 85,000 | -2,100 | 82,900 | 82,900 | | |
| Operation and maintenance, Air Force..... | 15,000 | | 15,000 | 15,000 | | |
| Aircraft procurement, Air Force..... | 70,000 | -2,100 | 67,900 | 67,900 | | |
| B-70 procurement: Aircraft procurement, Air Force..... | 190,000 | -5,700 | 184,300 | 100,000 | | 84,300 |
| Samos program: Research, development, test, and evaluation, Air Force..... | 83,800 | | 83,800 | 50,000 | | 33,800 |
| Minuteman solid-propellant ICBM: Missile procurement, Air Force..... | 27,000 | -810 | 26,190 | 26,190 | | |
| Midas program: Research, development, test, and evaluation, Air Force..... | 26,400 | | 26,400 | 26,400 | | |
| Discoverer program: Research, development, test, and evaluation, Air Force..... | 35,000 | | 35,000 | 35,000 | | |
| Interceptor improvements: Aircraft procurement, Air Force..... | 136,200 | -4,086 | 132,114 | 132,114 | | |
| Atlas program: Missile procurement, Air Force..... | 136,000 | -4,080 | 131,920 | 131,920 | | |
| BMEWS program: Other procurement, Air Force..... | 35,000 | -1,050 | 33,950 | 33,950 | | |
| Surveillance program: Other procurement, Air Force..... | 16,700 | -501 | 16,199 | 16,199 | | |
| GAR-9 and ASG-18 programs: Research, development, test and evaluation, Air Force..... | 15,000 | | 15,000 | 15,000 | | |
| Total, Department of Defense Appropriation Act..... | \$ 1,902,341 | -87,105 | \$ 1,815,236 | \$ 1,371,442 | 2,400 | \$ 441,394 |
| Recapitulation by service: | | | | | | |
| Department of the Army..... | 315,241 | -46,248 | 268,993 | 173,543 | 2,400 | 93,050 |
| Department of the Navy..... | 501,000 | -13,530 | 487,470 | 354,226 | | 133,244 |
| Department of the Air Force..... | 1,086,100 | -27,327 | 1,058,773 | 843,673 | | 215,100 |

¹ Represents the 3-percent general reduction against the appropriation, "Procurement of equipment and missiles, Army" since the total appropriation is for "modernization."

² In addition, unprogramed funds of \$110,580,000 representing the reduction of \$114,000,000 in the DOD semifiscal revised budget for antisubmarine warfare less the 3 percent general procurement cut of \$3,420,000.

³ The conference committee indicated that if developments in air defense demonstrate that the additional funds for fighter aircraft are not required, they shall be available only for the B-70 aircraft program.

⁴ Includes \$50,000,000 added by Senate which by conference action is also available

for the acceleration of the Midas and Discoverer satellite programs and for the Minuteman mobility program.

⁵ Included in these amounts are the additional funds requested by Department of Defense revisions for Army modernization, airlift aircraft, Minuteman, Polaris, antisubmarine warfare research and development, Midas, Discoverer, Atlas, BMEWS and certain air defense programs, totaling over \$750,000,000.

⁶ Additional amounts may be utilized to finance the development of an increased range Polaris missile. This specific item was not included in either the January or the revised DOD budget, or in the congressional add-ons.

August 9, 1960.

ATTACHMENT B PROCUREMENT

The 3 percent across-the-board reduction in procurement funds was recommended in the House Appropriations Committee Report to assure improvements in procurement practices. The conclusion that such improvements were necessary was based on examples of inefficient practices cited in the report (pp. 51-53). Most of these examples came from reports to the Congress by the Comptroller General.

Prior to the development of the fiscal year 1961 procurement estimates, the Office of the Secretary of Defense and each of the military departments took a number of specific actions to correct the kind of deficiencies cited by the House Appropriations Committee. For example, the Armed Services Procurement Regulation has been revised to strengthen its coverage of pricing policies and techniques, subcontract pricing, and the principles controlling allowable costs. Each of the military departments has also

made substantial improvements in contracting methods, reviews, and audits. Every effort is currently being made to maximize procurement by formal advertising and competition is being obtained in a substantial portion of our negotiated procurement.

These corrective actions have, from a policy standpoint, been acknowledged by the General Accounting Office as being appropriate to the correction of the deficiencies cited.

In summary, the Department of Defense has acted to correct the deficiencies cited and has made substantial progress to date. The fiscal year 1961 budget estimate assumed further improvements would be made. These improvements are a part of an orderly and continued effort to eliminate deficiencies in procurement policies and procedures, and to isolate and correct errors should they occur. Consequently, it will be extremely difficult to achieve further economies sufficient to absorb the 3 percent across-the-board reduction. To the extent the Department is unable to effect these ad-

ditional economies, the reduction will have the effect of reducing the number of missiles, ships, aircraft and other material which can be purchased with these appropriations.

SUPPLY MANAGEMENT

Military supply management in recent years has progressed significantly to achieve the highest level of effectiveness and economy in the history of the Department of Defense. Supply management accomplishments are well documented in hearings before the Congress and have been recognized by committees in their reports to the Congress. The following results testify to the forward strides that have been taken in this important management area:

1. In the 2 fiscal years prior to 1960, supply system inventories were reduced by \$7.3 billion, and when final reports are compiled for fiscal year 1960 it is expected that the 3-year total will approximate \$10 billion. At the same time management has improved the overall readiness position of support-

ing inventories by planned balancing of stocks and by transfer of ownership of stocks between the military services.

2. In the past 3 years comprehensive policies and systems have been developed to assure that equipment and supplies available anywhere in the Department are transferred and used before new procurement dollars are expended for similar items. In fiscal year 1958, this cross utilization of long-supply materiel totaled \$587 million; for fiscal year 1960 these savings will amount to \$2 billion.

3. In submitting the fiscal year 1961 defense budget to the Congress, the results of improved supply management were further anticipated by making a \$100 million reduction in the estimate for depot supply system costs.

4. Military warehouses covering 55 million square feet of floor space have been closed,

and by June 1962 an additional 19 million square feet of space will be inactivated.

5. In the past fiscal year four new single managers have been established in the commodity areas of general, industrial, construction, and automotive supplies. In its report on military supply management dated June 30, 1960, the Committee on Government Operations of the House stated:

"The single manager program has accomplished some of the purposes sought by the Congress without creating new problems of the order of magnitude of a fourth service and with a relatively easy transition, as well as insuring no interruption of the logistics support furnished to military commands."

The estimated savings from single manager operation have been constantly increasing. In the above-cited committee report an increase in savings of 75 percent in 1 year

was recognized and further increases can be expected as these integrated management organizations become fully operational.

6. Similarly recognized in the previously cited committee report, and by numerous Members of the Congress in the CONGRESSIONAL RECORD, was the establishment on May 12, 1960, of a defense communications system and a Defense Communications Agency. This new system represents a consolidation of Army, Navy, and Air Force communications systems and will provide more effective and more economical use of circuits and facilities.

The momentum of progress achieved in recent years in supply management is continuing. The defense materiel management program is designed to carry forward to new higher levels the solid accomplishments of recent years.

ATTACHMENT C

Department of Defense Appropriation Act, 1961—Status of apportionment actions, fiscal year 1961

[Thousands of dollars]

| Appropriation title (1) | Total available for apportionment (2) | Available for future requirements (3) | Reserved for completion of approved programs (4) | Planned apportionment program (5) | Apportionment actions | | | Items apportioned but undergoing further review (9) |
|--|--|--|---|--------------------------------------|-----------------------------|---------------------------|--|--|
| | | | | | Requested by service (6) | Recommended by OSD (7) | Apportioned by Bureau of the Budget (8) | |
| Military personnel: | | | | | | | | |
| Military personnel, Army..... | 3,680,548 | | | 3,680,548 | 3,680,548 | 3,680,548 | 3,680,548 | |
| Military personnel, Navy..... | 2,616,067 | | | 2,616,067 | 2,616,067 | 2,616,067 | 2,616,067 | |
| Military personnel, Marine Corps..... | 613,746 | | | 613,746 | 613,500 | 613,500 | 613,000 | |
| Military personnel, Air Force..... | 4,080,676 | | | 4,080,676 | 4,080,676 | 4,080,384 | 4,080,384 | |
| Reserve personnel, Army..... | 234,998 | | | 234,998 | 217,298 | 217,298 | 217,298 | |
| Reserve personnel, Navy..... | 87,584 | | | 87,584 | 85,584 | 85,584 | 85,584 | |
| Reserve personnel, Marine Corps..... | 25,109 | | | 25,109 | 25,109 | 25,109 | 25,109 | |
| Reserve personnel, Air Force..... | 54,025 | | | 54,025 | 53,692 | 53,692 | 53,692 | |
| National Guard personnel, Army..... | 231,377 | | | 231,377 | 231,377 | 224,977 | 224,977 | |
| National Guard personnel, Air Force..... | 46,128 | | | 46,128 | 46,128 | 46,128 | 46,128 | |
| Retired pay, Department of Defense..... | 775,000 | | | 775,000 | 775,000 | 775,000 | 775,000 | |
| Total, military personnel..... | 12,445,258 | | | 12,445,258 | 12,444,679 | 12,418,287 | 12,417,787 | |
| Operation and maintenance: | | | | | | | | |
| Operation and maintenance, Army..... | 3,605,087 | | | 3,605,087 | 3,609,535 | 3,609,535 | 3,592,645 | 5,000 |
| Operation and maintenance, Navy..... | 2,664,729 | | | 2,664,729 | 2,664,729 | 2,664,729 | 2,664,729 | 48,183 |
| Operation and maintenance, Marine Corps..... | 192,831 | | | 192,831 | 192,831 | 192,831 | 192,831 | |
| Operation and maintenance, Air Force..... | 4,511,405 | | | 4,511,405 | 4,512,216 | 4,497,216 | 4,496,405 | 28,905 |
| Operation and maintenance, Army National Guard..... | 162,061 | 2,400 | | 159,661 | 157,061 | 157,061 | 157,061 | |
| Operation and maintenance, Air National Guard..... | 188,061 | | | 188,061 | 183,061 | 183,061 | 183,061 | |
| Promotion of rifle practice, Army..... | 501 | | | 501 | 300 | 300 | 501 | |
| Operation and maintenance, Alaska Communication System, Army..... | 7,000 | | | 7,000 | 7,000 | 7,000 | 7,000 | 686 |
| Salaries and expenses, Secretary of Defense..... | 18,975 | | | 18,975 | 18,975 | 18,975 | 18,975 | |
| Claims, Department of Defense..... | 16,575 | | | 16,575 | 16,575 | 16,575 | 16,575 | |
| Contingencies, Department of Defense..... | 15,000 | | | 15,000 | 15,000 | 15,000 | 15,000 | |
| Salaries and expenses, Court of Military Appeals, Department of Defense..... | 425 | | | 425 | 425 | 425 | 425 | |
| Total, operation and maintenance..... | 11,382,650 | 2,400 | | 11,380,250 | 11,378,408 | 11,362,708 | 11,345,208 | 82,774 |
| Procurement: | | | | | | | | |
| Procurement of equipment and missiles, Army..... | 2,127,248 | 93,050 | | 2,034,198 | 1,870,998 | 1,808,099 | 1,808,099 | 86,000 |
| Procurement of aircraft and missiles, Navy..... | 2,375,997 | 36,860 | 100,000 | 2,239,137 | 2,170,997 | 2,189,137 | 2,186,237 | 48,500 |
| Shipbuilding and conversion, Navy..... | 3,045,683 | 198,850 | 630,938 | 2,215,895 | 1,966,300 | 2,046,020 | 2,186,395 | 9,500 |
| Other procurement, Navy..... | 468,451 | | 4,837 | 463,614 | 463,614 | 460,667 | 460,667 | 4,000 |
| Procurement, Marine Corps..... | 212,293 | | | 212,293 | 212,293 | 212,293 | 212,293 | 3,700 |
| Aircraft procurement, Air Force..... | 5,216,400 | 181,300 | 526,400 | 4,508,700 | 4,330,000 | 4,285,500 | 4,194,500 | 274,900 |
| Missile procurement, Air Force..... | 3,842,100 | 50,000 | 492,900 | 2,799,200 | 2,799,200 | 2,799,200 | 2,780,400 | |
| Other procurement, Air Force..... | 1,370,359 | | 65,259 | 1,305,100 | 1,305,100 | 1,305,100 | 1,305,100 | 57,000 |
| Airlift modernization..... | 310,788 | | 16,100 | 294,688 | 280,000 | 246,188 | 109,500 | 6,000 |
| Aircraft and related procurement, Navy..... | 1,200,435 | | | 1,200,435 | 1,200,435 | 1,200,435 | 1,200,435 | |
| Procurement of ordnance and ammunition, Navy..... | 112,647 | | | 112,647 | 112,647 | 112,647 | 112,647 | |
| Aircraft, missiles, and related procurement, Air Force..... | 544,354 | | | 544,354 | 544,354 | 544,354 | 544,354 | |
| Procurement other than aircraft and missiles, Air Force..... | 147,091 | | | 147,091 | 147,091 | 147,091 | 147,091 | |
| Total, procurement..... | 20,473,846 | 560,060 | 1,836,434 | 18,077,352 | 17,383,029 | 17,356,731 | 17,247,718 | 489,600 |
| Research, development, test, and evaluation: | | | | | | | | |
| Research, development, test, and evaluation, Army..... | 1,144,139 | | | 1,144,139 | 1,144,139 | 1,138,578 | 1,134,428 | 62,100 |
| Research, development, test, and evaluation, Navy..... | 1,323,952 | 8,114 | | 1,315,838 | 1,315,838 | 1,315,838 | 1,315,838 | 76,156 |
| Research, development, test, and evaluation, Air Force..... | 2,022,841 | 33,800 | 20,000 | 1,969,041 | 1,919,041 | 1,919,041 | 1,869,041 | 119,059 |
| Salaries and expenses, ARPA, Department of Defense..... | 342,400 | | | 342,400 | 341,900 | 341,900 | 341,900 | 149,000 |
| Emergency fund, Department of Defense..... | 150,000 | | | 150,000 | 150,000 | 150,000 | 150,000 | |
| Total, research, development, test, and evaluation..... | 4,983,332 | 41,914 | 20,000 | 4,921,418 | 4,870,918 | 4,865,357 | 4,811,207 | 406,375 |
| Total, Department of Defense Appropriation Act, 1961..... | 49,285,086 | 1,604,374 | 1,856,434 | 46,824,278 | 46,077,034 | 46,003,083 | 45,821,920 | 978,749 |
| Department of the Army..... | 11,192,959 | 95,450 | | 11,097,509 | 10,936,656 | 10,843,396 | 10,822,557 | 153,846 |
| Department of the Navy..... | 14,939,524 | 243,824 | 735,775 | 13,959,925 | 13,641,944 | 13,734,857 | 13,871,832 | 190,039 |
| Department of the Air Force..... | 21,834,228 | 265,100 | 1,120,659 | 20,448,469 | 20,180,559 | 20,106,955 | 19,809,655 | 455,864 |
| Office of the Secretary of Defense..... | 1,318,375 | | | 1,318,375 | 1,317,875 | 1,317,875 | 1,317,875 | 149,000 |

¹ Exempted from apportionment.

² Includes \$443,794,000 of congressional add-ons over the January budget and in addition, unprogrammed funds of \$110,589,000 representing the reduction of \$114,000,000

in the DOD semiformal revised budget for antisubmarine warfare less the 3 percent general procurement cut of \$3,420,000.

ATTACHMENT D
OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
Washington, D.C., April 5, 1960.

Memorandum for the Under Secretary of the Navy; the Assistant Secretary of the Army (FM); the Assistant Secretary of the Air Force (FM); the Director, Administrative Services Division, OSD.

Experience has shown the best way to make possible prompt handling of official annual apportionment requests upon passage of the appropriation act is to review preliminary backup data before the act is passed. This Office plans to use such a preliminary review procedure again this year in connection with the fiscal year 1961 apportionment requests.

Last year the military departments were requested to base their preliminary apportionment backup data on the House committee report, and to submit the backup data 2 weeks after issue of the House report. Since the House report does not necessarily reflect the final content of the appropriation act, such a schedule resulted in an added interim adjustment of financial plans under a short schedule, to be followed by still another adjustment upon final passage of the act.

In order to reduce the work involved in adjustments to financial programs and plans, and allow the departments time to make an adequate review of the apportionment backup data before submitting it, it is requested this year that the military departments: (a) base their preliminary apportionment backup data on amounts in the President's budget (including amendments, if any) reflecting latest approved programs and financial plans; (b) submit such backup data to this Office by May 23, 1960.

This arrangement should provide time for considered review within the departments before the preliminary backup material is submitted to this Office. Subsequently, in support of the official apportionment requests, the backup data should require only such adjustments as the act in its final signed form makes necessary. Official apportionment requests on DD form 1105 will not be submitted with the preliminary backup data.

This memorandum does not modify the requirements with respect to stock funds as set forth in my memorandum of May 14, 1959, as revised; namely, the submission of official apportionment requests and supporting data by May 6, 1960.

Revision No. 2 to my memorandum of May 14, 1959, "Guidance for the Preparation of Support Material for Apportionment Requests and Budget Estimate" is now being printed and should reach the military departments before April 11, 1960.

H. R. LOGAN,
Deputy Comptroller for Budget.

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
Washington, D.C., June 15, 1960.

Memorandum for the Under Secretary of the Navy; the Assistant Secretary of the Army (FM); the Assistant Secretary of the Air Force (FM); the Director, Administrative Services Division, OSD.

In anticipation of early congressional action on the appropriation bills relating to the Department of Defense, it is desired that apportionment schedules be processed as expeditiously as possible. The Bureau of the Budget has advised that Department of Defense obligation and expenditure plans for fiscal year 1961 will be required before the apportionment schedules can be approved (copy attached). As a basis for updating the financial plans reflected in the President's budget it is requested that addressees provide revised financial plan data, based on conference action, within 48 hours after release of the conference reports. This will apply to the Department of Defense Appropriation Act, the Military Construction Appropriation Act, and the Mutual Security Appropriation Act. The data presented for the last of the three appropriation acts will include summary lines for the two preceding acts so that combined military functions-military assistance totals will be provided therewith.

Specific instructions for submission of the data are attached.

H. R. LOGAN,
Deputy Comptroller for Budget.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 8, 1960.
Memorandum for Mr. Franklin B. Lincoln,
Assistant Secretary of Defense (Comptroller).

It is requested that the Bureau of the Budget be furnished, as soon as possible following congressional action on the 1961 budget, revised obligation and expenditure plans and an analysis of reimbursements covering military functions of the Department of Defense for fiscal year 1961. An obligation plan similar in format to EFAD 349 (for fiscal year 1960) will be satisfactory. The expenditure plan should reflect for each appropriation and fund the planned utilization of the total 1961 expenditure availability in 1961, 1962, 1963, 1964, and thereafter. In addition this expenditure plan should be summarized by functional title and military department. This information will be required before the apportionments for the fiscal year 1961 can be approved.

You are also requested to submit, in conjunction with your financial plan for 1961 required by Circular No. A-24, a monthly phasing of gross expenditures, reimbursement collections, and net budget expenditures by appropriation and fund account. The format followed in prior years will be acceptable in meeting this requirement.

WILLIAM F. SCHAUB,
Chief, Military Division.

INSTRUCTIONS FOR SUBMISSION OF FINANCIAL
PLAN DATA, FISCAL YEAR 1961

A. FINANCIAL PLAN FOR OBLIGATIONS

1. Format: Use the format of EFAD table 378 dated 18 January 1960 with the addition of a new column "Available for future requirements" between columns 18 and 19.
2. Military assistance: Show data for the transfer account from Military Assistance with separate lines for ".002 MAP orders" and for "All Other" with a total for the transfer account. Do not show any new 1961 availability for .002 MAP orders.

B. FINANCIAL PLAN FOR EXPENDITURES

1. Relationship to financial plan for obligations: The expenditure plan shall be based on and consistent with the fiscal year 1961 financial plan for obligations (including obligations in future years for completion of approved programs).
2. Format: Use the attached format. This is similar to the format used for the printed fiscal year 1959 expenditure plan.
3. Military assistance: Show data for the transfer account from military assistance with separate lines for ".002 MAP orders" and for "all other." The ".002 MAP orders" line will be further broken down to show the recipient military function appropriation; the expenditures shown for fiscal year 1961 should be equal to the contra-amount included as reimbursements in computation of the net expenditure figures for the military function accounts. Do not include any fiscal year 1961 availability for .002 MAP orders.

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
Washington, D.C., June 21, 1960.

Memorandum for the Under Secretary of the Navy; the Assistant Secretary of the Army (FM); the Assistant Secretary of the Air Force (FM); the Director, Administrative Services Division, OSD.

Reference is made to the memorandum from this Office dated April 5, 1960, requesting addressees to submit preliminary fiscal year 1961 apportionment backup data by May 23, 1960; and to the memorandum dated June 15, 1960, requesting submission of revised fiscal year 1961 financial plan data, based on conference action, within 48 hours after release of the conference reports.

It is hereby requested that addressees submit official apportionment schedules within 3 working days after release of the conference reports. These schedules should be based on financial plans submitted in accordance with the June 15, 1960, memorandum noted above; and should be supported by data modifying, as necessary, the preliminary backup data previously furnished under provisions of the April 5, 1960, memorandum.

H. R. LOGAN,
Deputy Comptroller for Budget.

ATTACHMENT E

Department of Defense financial plan for fiscal year 1961,¹ obligation plan for general fund appropriations, fiscal year 1961 obligations

[In thousands of dollars]

| Appropriation title | Resources available for obligation in fiscal year 1961 | | | | | | | | Planned apportionment program | | | | | | | Available for future requirements | Reserved for completion of approved programs |
|--|--|---------------------------------|-----------|---|--|------------------------|--|--|--|---------------------------------|---------------------|---|--|--|---------|-----------------------------------|--|
| | Unobligated balance brought forward | Fiscal year 1961 appropriations | Transfers | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligation-ability (cols. 2+3+4+8) | Planned obligations | | | Planned commitments | | Total planned apportionment program (cols. 12+13+14) | | | |
| | | | | From MAP .002 orders and adjustments ² | From orders subject to automatic apportionment | From all other sources | Total anticipated reimbursements from new orders | | For service account obligations (direct) | Obligations for customer orders | Total (cols. 10+11) | Unobligated portion of letter contract procurements | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) | | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) | (14) | (15) | (16) | (17) | |
| Military personnel: | | | | | | | | | | | | | | | | | |
| Military personnel, Army..... | | 3,247,548 | 260,000 | | | 173,000 | 173,000 | 3,680,548 | 3,507,548 | 173,000 | 3,680,548 | | | 3,680,548 | | | |
| Military personnel, Navy..... | | 2,508,244 | 75,000 | | | 32,823 | 32,823 | 2,616,067 | 2,583,244 | 32,823 | 2,616,067 | | | 2,616,067 | | | |
| Military personnel, Marine Corps..... | | 606,746 | 500 | | | 6,500 | 6,500 | 613,746 | 607,246 | 6,500 | 613,746 | | | 613,746 | | | |
| Military personnel, Air Force..... | | 4,019,676 | 30,000 | | | 31,000 | 31,000 | 4,080,676 | 4,049,676 | 31,000 | 4,080,676 | | | 4,080,676 | | | |
| Reserve personnel, Army..... | | 233,998 | | | | 1,000 | 1,000 | 234,998 | 233,998 | 1,000 | 234,998 | | | 234,998 | | | |
| Reserve personnel, Navy..... | | 87,584 | | | | | 87,584 | 87,584 | 87,584 | | 87,584 | | | 87,584 | | | |
| Reserve personnel, Marine Corps..... | | 24,831 | | | | 278 | 278 | 25,109 | 24,831 | 278 | 25,109 | | | 25,109 | | | |
| Reserve personnel, Air Force..... | | 54,000 | | | | 25 | 25 | 54,025 | 54,000 | 25 | 54,025 | | | 54,025 | | | |
| National Guard personnel, Army..... | | 230,277 | | | | 1,100 | 1,100 | 231,377 | 230,277 | 1,100 | 231,377 | | | 231,377 | | | |
| National Guard personnel, Air Force..... | | 46,000 | | | | 128 | 128 | 46,128 | 46,000 | 128 | 46,128 | | | 46,128 | | | |
| Retired pay, Department of Defense..... | | 775,000 | | | | | | 775,000 | 775,000 | | 775,000 | | | 775,000 | | | |
| Total, military personnel..... | | 11,833,904 | 365,500 | | | 245,854 | 245,854 | 12,445,258 | 12,199,404 | 245,854 | 12,445,258 | | | 12,445,258 | | | |
| Operation and maintenance: | | | | | | | | | | | | | | | | | |
| Operation and maintenance, Army..... | 72,002 | 3,120,022 | -3,181 | | | 416,244 | 416,244 | 3,605,087 | 3,116,841 | 488,246 | 3,605,087 | | | 3,605,087 | | | |
| Operation and maintenance, Navy..... | 9,479 | 2,518,897 | -671 | -9,333 | 74,347 | 72,010 | 137,024 | 2,604,729 | 2,518,225 | 146,504 | 2,664,729 | | | 2,664,729 | | | |
| Operation and maintenance, Marine Corps..... | 5,775 | 174,686 | | | 9,644 | 2,726 | 12,370 | 192,831 | 174,686 | 18,145 | 192,831 | | | 192,831 | | | |
| Operation and maintenance, Air Force..... | | 4,243,398 | -811 | | | 268,818 | 268,818 | 4,511,405 | 4,242,587 | 268,818 | 4,511,405 | | | 4,511,405 | | | |
| Operation and maintenance, Army National Guard..... | | 162,001 | | | | 60 | 60 | 162,061 | 159,601 | 60 | 159,661 | | | 159,661 | 2,400 | | |
| Operation and maintenance, Air National Guard..... | | 187,291 | | | | 770 | 770 | 188,061 | 187,291 | 770 | 188,061 | | | 188,061 | | | |
| Promotion of rifle practice, Army..... | | 501 | | | | | 501 | 501 | 501 | | 501 | | | 501 | | | |
| Operation and maintenance, Alaska Communication System, Army..... | | 7,000 | | | | | | 7,000 | 7,000 | | 7,000 | | | 7,000 | | | |
| Salaries and expenses, Secretary of Defense..... | | 18,975 | | | | | | 18,975 | 18,975 | | 18,975 | | | 18,975 | | | |
| Claims, Department of Defense..... | | 16,575 | | | | | | 16,575 | 16,575 | | 16,575 | | | 16,575 | | | |
| Contingencies, Department of Defense..... | | 15,000 | | | | | | 15,000 | 15,000 | | 15,000 | | | 15,000 | | | |
| Salaries and expenses, Court of Military Appeals, Department of Defense..... | | 425 | | | | | | 425 | 425 | | 425 | | | 425 | | | |
| Total, operation and maintenance..... | 87,256 | 10,464,771 | -4,663 | -9,333 | 83,991 | 760,628 | 835,286 | 11,382,650 | 10,457,707 | 922,543 | 11,380,250 | | | 11,380,250 | 2,400 | | |
| Procurement: | | | | | | | | | | | | | | | | | |
| Procurement of equipment and missiles, Army..... | 382,896 | 1,495,352 | | | | 249,000 | 249,000 | 2,127,248 | 1,589,302 | 252,000 | 1,841,302 | | 192,896 | 2,034,198 | 93,050 | | |
| Procurement of aircraft and missiles, Navy..... | | 2,141,760 | 214,237 | | | 20,000 | 20,000 | 2,375,997 | 1,577,632 | 18,000 | 1,595,632 | | 643,505 | 2,239,137 | 36,860 | 100,000 | |
| Shipbuilding and conversion, Navy..... | 734,061 | 2,316,360 | | -8,738 | | 4,000 | -4,738 | 3,045,683 | 1,890,675 | 14,000 | 1,904,675 | | 311,220 | 2,215,895 | 198,850 | 630,938 | |
| Other procurement, Navy..... | | 420,980 | | 18,071 | | 29,400 | 47,471 | 468,451 | 408,980 | 40,934 | 449,914 | | 13,700 | 463,614 | | 4,837 | |
| Procurement, Marine Corps..... | 121,113 | 91,180 | | | | | | 212,293 | 139,000 | 4,500 | 143,500 | | 68,793 | 212,293 | | | |
| Aircraft procurement, Air Force..... | 1,266,945 | 3,251,449 | 608,006 | | | 90,000 | 90,000 | 5,216,400 | 3,684,900 | 90,000 | 3,774,900 | 150,000 | 583,800 | 4,508,700 | 181,300 | 526,400 | |
| Missile procurement, Air Force..... | 352,400 | 2,615,120 | 329,580 | | | 45,000 | 45,000 | 3,342,100 | 2,510,000 | 114,000 | 2,624,000 | 100,000 | 75,200 | 2,799,200 | 50,000 | 492,900 | |
| Other procurement, Air Force..... | 392,174 | 877,171 | 66,014 | | | 35,000 | 35,000 | 1,370,359 | 1,023,000 | 30,000 | 1,053,000 | 50,000 | 202,100 | 1,305,100 | | 65,259 | |
| Airlift modernization..... | | 310,788 | | | | | | 310,788 | 264,000 | | 264,000 | | 30,688 | 294,688 | | 16,100 | |
| Aircraft and related procurement, Navy..... | 1,414,672 | | -214,237 | | | | | 1,200,435 | 748,237 | 10,763 | 759,000 | | 441,435 | 1,200,435 | | | |
| Procurement of ordnance and ammunition, Navy..... | 112,647 | | | | | | | 112,647 | 38,419 | 74,228 | 112,647 | | | 112,647 | | | |
| Aircraft, missiles, and related procurement, Air Force..... | 1,525,995 | | -998,586 | 16,945 | | | 16,945 | 544,354 | 500,000 | | 500,000 | | 44,354 | 544,354 | | | |
| Procurement other than aircraft and missiles, Air Force..... | 230,050 | | -66,014 | -16,945 | | | -16,945 | 147,091 | 107,091 | | 107,091 | | 40,000 | 147,091 | | | |
| Total, procurement..... | 6,532,953 | 13,520,160 | -61,000 | 9,333 | | 472,400 | 481,733 | 20,473,846 | 14,481,236 | 648,425 | 15,129,661 | 300,000 | 2,647,691 | 18,077,352 | 560,060 | 1,836,434 | |

See footnotes at end of table.

ATTACHMENT E

Department of Defense financial plan for fiscal year 1961,¹ obligation plan for general fund appropriations, fiscal year 1961 obligations—Continued

[In thousands of dollars]

| Appropriation title (1) | Resources available for obligation in fiscal year 1961 | | | | | | | | Planned apportionment program | | | | | | Available for future requirements (16) | Reserved for completion of approved program (17) |
|--|--|--|----------------------|---|---|-------------------------------|---|--|--|---|-----------------------------|---|--|--|---|---|
| | Unobligated balance brought forward (2) | Fiscal year 1961 appropriations (3) | Transfers (4) | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligational availability (cols. 2+3+4+8) (9) | Planned obligations | | | Planned commitments | | Total planned apportionment program (cols. 12+13+14) (15) | | |
| | | | | From MAP .002 orders and adjustments ¹ (5) | From orders subject to automatic apportionment (6) | From all other sources (7) | Total anticipated reimbursements from new orders (8) | | For service account obligations (direct) (10) | Obligations for customer orders (11) | Total (cols. 10+11) (12) | Unobligated portion of letter contract procurements (13) | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) (14) | | | |
| Research, development, test, and evaluation: | | | | | | | | | | | | | | | | |
| Research, development, test, and evaluation, Army | 89,975 | 1,041,286 | | | | 12,878 | 12,878 | 1,144,139 | 1,101,139 | 12,878 | 1,114,017 | | 30,122 | 1,144,139 | | |
| Research, development, test, and evaluation, Navy | 71,328 | 1,218,624 | 7,000 | | 26,000 | 1,000 | 27,000 | 1,323,952 | 1,262,010 | 27,000 | 1,289,010 | | 26,828 | 1,315,838 | 8,114 | |
| Research, development, test, and evaluation, Air Force | 263,411 | 1,552,863 | ⁵ 54,700 | | | 151,867 | 151,867 | 2,022,841 | 1,662,174 | 151,867 | 1,814,041 | | 155,000 | 1,969,041 | 33,800 | 20,000 |
| Salaries and expenses, ARPA, Department of Defense | 133,900 | 215,000 | -7,000 | | | 500 | 500 | 342,400 | 273,000 | | 273,000 | | 69,400 | 342,400 | | |
| Emergency fund, Department of Defense | | 150,000 | | | | | | 150,000 | 150,000 | | 150,000 | | | 150,000 | | |
| Total, research, development, test, and evaluation | 558,614 | 4,177,773 | 54,700 | | 26,000 | 166,245 | 192,245 | 4,983,332 | 4,448,323 | 191,745 | 4,640,068 | | 281,350 | 4,921,418 | 41,914 | 20,000 |
| Military construction: | | | | | | | | | | | | | | | | |
| Military construction, Army | 138,180 | 148,407 | | | | 6,000 | 6,000 | 292,587 | 189,000 | 6,000 | 195,000 | | 97,587 | 292,587 | | |
| Military construction, Navy | 88,798 | 162,519 | | | | 5,000 | 5,000 | 256,317 | 180,000 | 5,000 | 185,000 | | 71,317 | 256,317 | | |
| Military construction, Air Force | 622,967 | 609,501 | | | | 5,000 | 5,000 | 1,237,468 | 860,000 | 5,000 | 865,000 | | 372,468 | 1,237,468 | | |
| Military construction, Army Reserve | 5,105 | 16,038 | | | | | | 21,143 | 12,000 | | 12,000 | | 2,105 | 14,105 | 7,038 | |
| Military construction, Navy Reserve | 9,625 | 4,000 | | | | | | 13,625 | 10,000 | | 10,000 | | 3,625 | 13,625 | | |
| Military construction, Air Force Reserve | 881 | 4,000 | | | | | | 4,881 | 4,481 | | 4,481 | | 400 | 4,881 | | |
| Military construction, Army National Guard | 15,180 | 17,540 | | | | | | 32,720 | 20,000 | | 20,000 | | 3,180 | 23,180 | 9,540 | |
| Military construction, Air National Guard | 2,940 | 13,850 | | | | | | 16,790 | 14,290 | | 14,290 | | 2,150 | 16,440 | 350 | |
| Loran stations, Department of Defense | | 19,000 | | | | | | 19,000 | 19,000 | | 19,000 | | | 19,000 | | |
| Military construction, Advanced Research Projects Agency | 18,675 | (⁶) | | | | | | 18,675 | 18,675 | | 18,675 | | | 18,675 | | |
| Construction, Alaska Communication System | 463 | | | | | | | 463 | 463 | | 463 | | | 463 | | |
| Total, military construction | 902,814 | 994,855 | | | | 16,000 | 16,000 | 1,913,669 | 1,327,909 | 16,000 | 1,343,909 | | 552,832 | 1,896,741 | 16,928 | |
| Department of Defense: | | | | | | | | | | | | | | | | |
| Department of the Army | 703,801 | 9,719,970 | 256,819 | | | 859,282 | 859,282 | 11,539,872 | 10,167,670 | 934,284 | 11,101,954 | | 325,890 | 11,427,844 | 112,028 | |
| Department of the Navy | 2,567,498 | 12,276,411 | 81,829 | | | 173,737 | 283,728 | 15,209,466 | 12,250,769 | 398,675 | 12,649,444 | | 1,580,423 | 14,229,867 | 243,824 | 735,775 |
| Department of the Air Force | 4,657,763 | 17,785,107 | 22,889 | | | 627,608 | 627,608 | 23,093,367 | 19,203,490 | 691,608 | 19,901,098 | 300,000 | 1,506,160 | 21,707,258 | 265,450 | 1,120,659 |
| Office of the Secretary of Defense | 152,575 | 1,209,975 | -7,000 | | | 500 | | 1,356,050 | 1,286,650 | | 1,286,650 | | 69,400 | 1,356,050 | | |
| Total, Department of Defense (military functions) | 8,081,637 | 40,991,463 | ⁷ 354,537 | | 109,991 | 1,661,127 | 1,771,118 | ⁸ 51,198,755 | 42,914,579 | 2,024,567 | 44,939,146 | 300,000 | 3,481,873 | 48,721,019 | ⁹ 621,302 | 1,856,434 |

¹ Excludes the effect of Public Law 86-568, Federal Employees Salary Increase Act of 1960, pending submission by the military departments of detailed analyses by appropriation.

² Does not include any fiscal year 1961 MAP common item orders since value and distribution of such orders are not determinable at this time.

³ Upon enactment of pending legislation, a supplemental currently estimated at \$31,320,000 would be required.

⁴ Provision has been made in planned service account (direct) obligations for conversion to obligations of unobligated portions of procurements involving letter contracts brought into fiscal year 1961 as follows: "Procurement of ordnance and ammunition, Navy," \$20,000,000; "Aircraft procurement, Air Force," \$150,000,000; "Missile procurement, Air Force," \$100,000,000; "Other procurement, Air Force," \$50,000,000.

⁵ Reflects anticipated transfer of \$6,300,000 to Atomic Energy Commission.

⁶ Transfer of up to \$20,000,000 from "Salaries and expenses, Advanced Research Projects Agency" is authorized.

⁷ Excludes proposed \$30,000,000 reappropriation transfer of unexpended balances from expired accounts to the revolving fund account "Acquisition, rehabilitation, and rental of Wherry Act housing."

⁸ The total obligational availability is the sum of the amounts available to each individual appropriation account. Consequently, the totals of the appropriation groupings as well as the departmental and DOD totals are overstated by the "duplicate count" of reimbursements arising from intraservice and interservice reimbursement transactions which in grant total, amount to approximately \$1,000,000,000.

⁹ Includes \$443,794,000 of congressional add-ons over the President's January budget.

Department of Defense, financial plan for fiscal year 1961,¹ obligation plan for general fund appropriations, fiscal year 1961 obligations

[Thousands of dollars]

| Appropriation title | Resources available for obligation in fiscal year 1961 | | | | | | | | Planned apportionment program | | | | | | A available for future requirements | Reserved for completion of approved programs |
|---|--|---------------------------------|-----------|---|--|------------------------|--|---|--|---------------------------------|---------------------|---|--|--|-------------------------------------|--|
| | Unobligated balance brought forward | Fiscal year 1961 appropriations | Transfers | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligational availability (cols. 2+3+4+8) | Planned obligations | | | Planned commitments | | Total planned apportionment program (cols. 12+13+14) | | |
| | | | | From MAP .002 orders and adjustments ² | From orders subject to automatic apportionment | From all other sources | Total anticipated reimbursements from new orders | | For service account obligations (direct) | Obligations for customer orders | Total (cols. 10+11) | Unobligated portion of letter contract procurements | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) | (14) | (15) | (16) | (17) |
| Military personnel: | | | | | | | | | | | | | | | | |
| Military personnel, Army | | 3,247,548 | 260,000 | | | 173,000 | 173,000 | 3,680,548 | 3,507,548 | 173,000 | 3,680,548 | | | 3,680,548 | | |
| Military personnel, Navy | | 2,508,244 | 75,000 | | | 32,823 | 32,823 | 2,616,067 | 2,583,244 | 32,823 | 2,616,067 | | | 2,616,067 | | |
| Military personnel, Marine Corps | | 606,746 | 500 | | | 6,500 | 6,500 | 613,746 | 607,246 | 6,500 | 613,746 | | | 613,746 | | |
| Military personnel, Air Force | | 4,019,676 | 30,000 | | | 31,000 | 31,000 | 4,080,676 | 4,049,676 | 31,000 | 4,080,676 | | | 4,080,676 | | |
| Reserve personnel, Army | | 233,998 | | | | 1,000 | 1,000 | 234,998 | 233,998 | 1,000 | 234,998 | | | 234,998 | | |
| Reserve personnel, Navy | | 87,584 | | | | | | 87,584 | 87,584 | | 87,584 | | | 87,584 | | |
| Reserve personnel, Marine Corps | | 24,831 | | | | 278 | 278 | 25,109 | 24,831 | 278 | 25,109 | | | 25,109 | | |
| Reserve personnel, Air Force | | 54,000 | | | | 25 | 25 | 54,025 | 54,000 | 25 | 54,025 | | | 54,025 | | |
| National Guard personnel, Army | | 230,277 | | | | 1,100 | 1,100 | 231,377 | 230,277 | 1,100 | 231,377 | | | 231,377 | | |
| National Guard personnel, Air Force | | 46,000 | | | | 128 | 128 | 46,128 | 46,000 | 128 | 46,128 | | | 46,128 | | |
| Retired pay, Department of Defense | | 775,000 | | | | | | 775,000 | 775,000 | | 775,000 | | | 775,000 | | |
| Total, military personnel | | 11,833,904 | 365,500 | | | 245,854 | 245,854 | 12,445,258 | 12,199,404 | 245,854 | 12,445,258 | | | 12,445,258 | | |
| Operation and maintenance: | | | | | | | | | | | | | | | | |
| Operation and maintenance, Army | 72,002 | 3,120,022 | | | | 417,511 | 417,511 | 3,609,535 | 3,120,022 | 489,513 | 3,609,535 | | | 3,609,535 | | |
| Operation and maintenance, Navy | 9,479 | 2,518,897 | -671 | -9,333 | 74,347 | 72,010 | 137,024 | 2,664,729 | 2,518,225 | 146,504 | 2,664,729 | | | 2,664,729 | | |
| Operation and maintenance, Marine Corps | 5,775 | 174,686 | | | 9,644 | 2,726 | 12,370 | 192,831 | 174,686 | 18,145 | 192,831 | | | 192,831 | | |
| Operation and maintenance, Air Force | | 4,243,398 | | | | 268,818 | 268,818 | 4,512,216 | 4,228,398 | 268,818 | 4,497,216 | | | 4,497,216 | 15,000 | |
| Operation and maintenance, Army National Guard | | 162,001 | | | | 60 | 60 | 162,061 | 157,001 | 60 | 157,061 | | | 157,061 | 5,000 | |
| Operation and maintenance, Air National Guard | | 187,291 | | | | 770 | 770 | 188,061 | 187,291 | 770 | 188,061 | | | 188,061 | | |
| Promotion of rifle practice, Army | | 501 | | | | | | 501 | 300 | | 300 | | | 300 | 201 | |
| Operation and maintenance, Alaska Communication System, Army | | 7,000 | | | | | | 7,000 | 7,000 | | 7,000 | | | 7,000 | | |
| Salaries and expenses, Secretary of Defense | | 18,975 | | | | | | 18,975 | 18,975 | | 18,975 | | | 18,975 | | |
| Claims, Department of Defense | | 16,575 | | | | | | 16,575 | 16,575 | | 16,575 | | | 16,575 | | |
| Contingencies, Department of Defense | | 15,000 | | | | | | 15,000 | 15,000 | | 15,000 | | | 15,000 | | |
| Salaries and expenses, Court of Military Appeals, Department of Defense | | 425 | | | | | | 425 | 425 | | 425 | | | 425 | | |
| Total, operation and maintenance | 87,256 | 10,464,771 | -671 | -9,333 | 83,991 | 761,895 | 836,553 | 11,387,909 | 10,443,898 | 923,810 | 11,367,708 | | | 11,367,708 | 20,201 | |
| Procurement: | | | | | | | | | | | | | | | | |
| Procurement of equipment and missiles Army | 382,896 | 1,495,352 | | | | 249,000 | 249,000 | 2,127,248 | 1,561,102 | 252,000 | 1,813,102 | | 192,896 | 2,005,998 | 121,250 | |
| Procurement of aircraft and missiles, Navy | | 2,141,760 | 214,237 | | 10,000 | 10,000 | 20,000 | 2,375,997 | 1,577,632 | 18,000 | 1,595,632 | | 643,505 | 2,239,137 | 36,860 | 100,000 |
| Shipbuilding and conversion, Navy | 734,061 | 2,316,360 | | -8,738 | 4,000 | 4,000 | -4,738 | 3,045,683 | 1,750,300 | 14,000 | 1,764,300 | | 311,220 | 2,075,520 | 362,780 | 607,383 |
| Other procurement, Navy | | 420,980 | | 18,071 | 5,000 | 24,400 | 47,471 | 468,451 | 408,980 | 40,934 | 449,914 | | 13,700 | 463,614 | | 4,837 |
| Procurement, Marine Corps | 121,113 | 91,180 | | | | | | 212,293 | 139,000 | 4,500 | 143,500 | | 68,793 | 212,293 | | |
| Aircraft procurement, Air Force | 1,266,945 | 3,251,449 | 608,006 | | | 90,000 | 90,000 | 5,216,400 | 3,535,000 | 90,000 | 3,625,000 | 150,000 | 565,800 | 4,340,800 | 349,200 | 526,400 |
| Missile procurement, Air Force | 352,400 | 2,615,120 | 329,580 | | | 45,000 | 45,000 | 3,342,100 | 2,610,000 | 114,000 | 2,724,000 | 100,000 | 75,200 | 2,799,200 | 50,000 | 492,900 |
| Other procurement, Air Force | 392,174 | 877,171 | 66,014 | | | 35,000 | 35,000 | 1,370,359 | 1,023,000 | 30,000 | 1,053,000 | 50,000 | 202,100 | 1,305,100 | | 65,259 |
| Airlift modernization | | 310,788 | | | | | | 310,788 | 225,000 | | 225,000 | | 21,188 | 246,188 | 48,500 | 16,100 |
| Aircraft and related procurement, Navy | 1,414,672 | | -214,237 | | | | | 1,200,435 | 748,237 | 10,763 | 759,000 | | 441,435 | 1,200,435 | | |
| Procurement of ordnance and ammunition, Navy | 112,647 | | | | | | | 112,647 | 38,419 | 74,228 | 112,647 | | | 112,647 | | |
| Aircraft, missiles, and related procurement, Air Force | 1,525,995 | | -998,586 | 16,945 | | | 16,945 | 544,354 | 500,000 | | 500,000 | | 44,354 | 544,354 | | |
| Procurement other than aircraft and missiles, Air Force | 230,050 | | -66,014 | -16,945 | | | -16,945 | 147,091 | 107,091 | | 107,091 | | 40,000 | 147,091 | | |
| Total, procurement | 6,532,953 | 13,520,160 | -61,000 | 9,333 | 15,000 | 457,400 | 481,733 | 20,473,846 | 14,123,761 | 648,425 | 14,772,186 | 300,000 | 2,620,191 | 17,692,377 | 968,590 | 1,812,879 |

See footnotes at end of table.

Department of Defense, financial plan for fiscal year 1961,¹ obligation plan for general fund appropriations, fiscal year 1961 obligations—Continued

[Thousands of dollars]

| Appropriation title (1) | Resources available for obligation in fiscal year 1961 | | | | | | | | Planned apportionment program | | | | | | | A available for future requirements (16) | Reserved for completion of approved programs (17) |
|--|--|--|------------------|---|---|-------------------------------|---|--|--|---|-----------------------------|---|--|--|-----------|---|--|
| | Unobligated balance brought forward (2) | Fiscal year 1961 appropriations (3) | Transfers (4) | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligational availability (cols. 2+3+4+5) (9) | Planned obligations | | | Planned commitments | | Total planned apportionment program (cols. 12+13+14) (15) | | | |
| | | | | From MAP 002 orders and adjustments ² (5) | From orders subject to automatic apportionment (6) | From all other sources (7) | Total anticipated reimbursements from new orders (8) | | For service account obligations (direct) (10) | Obligations for customer orders (11) | Total (cols. 10+11) (12) | Unobligated portion of letter contract procurements (13) | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) (14) | | | | |
| Research, development, test, and evaluation: | | | | | | | | | | | | | | | | | |
| Research, development, test, and evaluation, Army | 89,975 | 1,041,286 | | | | 12,878 | 12,878 | 1,144,139 | 1,101,139 | 12,878 | 1,114,017 | | 30,122 | 1,144,139 | | | |
| Research, development, test, and evaluation, Navy | 71,328 | 1,218,625 | 7,000 | | 26,000 | 1,000 | 27,000 | 1,323,952 | 1,262,010 | 27,000 | 1,289,010 | | 26,828 | 1,315,838 | 8,114 | | |
| Research, development, test, and evaluation, Air Force | 263,411 | 1,552,863 | 54,700 | | | 151,867 | 151,867 | 2,022,841 | 1,612,174 | 151,867 | 1,764,041 | | 155,000 | 1,919,041 | 83,800 | 20,000 | |
| Salaries and expenses, ARPA, Department of Defense | 133,900 | 215,000 | -7,000 | | | 500 | 500 | 342,400 | 273,000 | | 273,000 | | 69,400 | 342,400 | | | |
| Emergency fund, Department of Defense | | 150,000 | | | | | | 150,000 | 150,000 | | 150,000 | | | 150,000 | | | |
| Total, research, development, test, and evaluation | 558,614 | 4,177,773 | 54,700 | | 26,000 | 166,245 | 192,245 | 4,983,332 | 4,398,323 | 191,745 | 4,590,068 | | 281,350 | 4,871,418 | 91,914 | 20,000 | |
| Military construction: | | | | | | | | | | | | | | | | | |
| Military construction, Army | 138,180 | 148,407 | | | | 6,000 | 6,000 | 292,587 | 189,000 | 6,000 | 195,000 | | 97,587 | 292,587 | | | |
| Military construction, Navy | 88,798 | 162,519 | | | | 5,000 | 5,000 | 256,317 | 180,000 | 5,000 | 185,000 | | 71,317 | 256,317 | | | |
| Military construction, Air Force | 622,967 | 609,501 | | | | 5,000 | 5,000 | 1,237,468 | 860,000 | 5,000 | 865,000 | | 372,468 | 1,237,468 | | | |
| Military construction, Army Reserve | 5,105 | 16,038 | | | | | | 21,143 | 12,000 | | 12,000 | | 2,105 | 14,105 | 7,038 | | |
| Military construction, Navy Reserve | 9,625 | 4,000 | | | | | | 13,625 | 10,000 | | 10,000 | | 3,625 | 13,625 | | | |
| Military construction, Air Force Reserve | 881 | 4,000 | | | | | | 4,881 | 4,481 | | 4,481 | | 400 | 4,881 | | | |
| Military construction, Army National Guard | 15,180 | 17,540 | | | | | | 32,720 | 20,000 | | 20,000 | | 3,180 | 23,180 | 9,540 | | |
| Military construction, Air National Guard | 2,940 | 13,850 | | | | | | 16,790 | 14,290 | | 14,290 | | 2,150 | 16,440 | 350 | | |
| Loran stations, Department of Defense | | 19,000 | | | | | | 19,000 | 19,000 | | 19,000 | | | 19,000 | | | |
| Military construction, Advanced Research Projects Agency | 18,675 | (³) | | | | | | 18,675 | 18,675 | | 18,675 | | | 18,675 | | | |
| Construction, Alaska Communication System | 437 | | | | | | | 437 | 437 | | 437 | | | 437 | | | |
| Total, military construction | 902,788 | 994,855 | | | | 16,000 | 16,000 | 1,913,643 | 1,327,883 | 16,000 | 1,343,883 | 300,000 | 552,832 | 1,896,715 | 16,928 | | |
| Department of Defense: | | | | | | | | | | | | | | | | | |
| Department of the Army | 703,775 | 9,719,970 | 260,000 | | | 860,549 | 860,549 | 11,544,294 | 10,139,824 | 935,551 | 11,075,375 | | 325,890 | 11,401,265 | 143,029 | | |
| Department of the Navy | 2,567,498 | 12,276,411 | 74,829 | | 124,991 | 158,737 | 283,728 | 15,202,466 | 12,110,394 | 398,675 | 12,509,069 | | 1,580,423 | 14,089,492 | 407,754 | 712,220 | |
| Department of the Air Force | 4,657,763 | 17,785,107 | 23,700 | | | 627,608 | 627,608 | 23,094,178 | 18,956,401 | 691,608 | 19,648,009 | 300,000 | 1,478,690 | 21,426,699 | 546,850 | 1,120,659 | |
| Office of the Secretary of Defense | 152,575 | 1,209,975 | | | | 500 | 500 | 1,363,050 | 1,286,650 | | 1,286,650 | | 69,400 | 1,356,050 | | | |
| Subtotal, Department of Defense (military functions) | 8,081,611 | 40,991,463 | 358,529 | | 124,991 | 1,647,394 | 1,772,385 | 51,203,988 | 42,493,269 | 2,025,834 | 44,519,103 | 300,000 | 3,454,373 | 48,273,476 | 1,097,633 | 1,832,879 | |

¹ Excludes the effect of Public Law 86-568, Federal Employees Salary Increase Act of 1960, pending submission by the military departments of detailed analyses by appropriation.

² Does not include any fiscal year 1961 M.A.P. common item orders since value and distribution of such orders are not determinable at this time.

³ Upon enactment of pending legislation, a supplemental currently estimated at \$31,320,000 would be required.

⁴ Provision has been made in planned service account (direct) obligations for conversion to obligations of unobligated portions of procurements involving letter contracts brought into fiscal year 1961 as follows: "Procurement of ordnance and ammunition, Navy," \$20,000,000; "Aircraft procurement, Air Force," \$150,000,000; "Missile procurement, Air Force," \$100,000,000; "Other procurement, Air Force," \$50,000,000.

⁵ Reflects anticipated transfer of \$6,300,000 to Atomic Energy Commission.

⁶ Transfer of up to \$20,000,000 from "Salaries and expenses, Advanced Research Projects Agency" is authorized.

⁷ Excludes proposed \$30,000,000 reappropriation transfer of unexpended balances from expired accounts to the revolving fund account "Acquisition, rehabilitation, and rental of Wherry Act housing."

⁸ The total obligational availability is the sum of the amounts available to each individual appropriation account. Consequently, the totals of the appropriation groupings as well as the departmental and DOD totals are overstated by the "duplicate count" of reimbursements arising from intraservice and interservice reimbursement transactions which in grant total, amount to approximately \$1,000,000,000.

Department of Defense financial plan for fiscal year 1961—Obligation plan for general fund appropriations, fiscal year 1961 obligations

[In thousands of dollars]

| Appropriation title (1) | Resources available for obligation in fiscal year 1961 | | | | | | | | | Planned apportionment program | | | | | | Unobligated balance in fiscal year 1962 | | |
|--|--|---------------------------------|----------------------|----------------|---|--|------------------------|--|---|--|---------------------------------|---------------------|---|--|---|---|--|---|
| | Unobligated balance brought forward | Fiscal year 1961 appropriations | Proposed supplements | Transfers | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligations available (cols. 2+3+4+5+9) | Planned obligations | | | Planned commitments | | Total planned apportionment program for fiscal year 1961 (cols. 13+14+15) | Total planned commitments in fiscal year 1961 (cols. 14+15) | Reserved for completion of approved programs | Total unobligated balance available in fiscal year 1962 |
| | | | | | From MAP .002 orders and adjustments ¹ | From orders subject to automatic apportionment | From all other sources | Total anticipated reimbursements from new orders | | For service account obligations (direct) | Obligations for customer orders | Total (cols. 11+12) | Unobligated portion of letter contract procurements | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) | | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) | (14) | (15) | (16) | (17) | (18) | (19) |
| Military personnel: | | | | | | | | | | | | | | | | | | |
| Military personnel, Army..... | | 3,261,000 | | 260,000 | | | 169,000 | 169,000 | 3,690,000 | 3,521,000 | 169,000 | 3,690,000 | | | 3,690,000 | | | |
| Military personnel, Navy..... | | 2,528,000 | | 60,000 | | | 32,000 | 32,000 | 2,620,000 | 2,588,000 | 32,000 | 2,620,000 | | | 2,620,000 | | | |
| Military personnel, Marine Corps..... | | 607,000 | | | | | 6,200 | 6,200 | 613,200 | 607,000 | 6,200 | 613,200 | | | 613,200 | | | |
| Military personnel, Air Force..... | | 4,030,000 | | 30,000 | | | 31,000 | 31,000 | 4,091,000 | 4,060,000 | 31,000 | 4,091,000 | | | 4,091,000 | | | |
| Reserve personnel, Army..... | | 200,000 | | | | | 1,000 | 1,000 | 201,000 | 200,000 | 1,000 | 201,000 | | | 201,000 | | | |
| Reserve personnel, Navy..... | | 88,000 | | | | | | 88,000 | 88,000 | | | | | | 88,000 | | | |
| Reserve personnel, Marine Corps..... | | 25,000 | | | | | 370 | 370 | 25,370 | 25,000 | 370 | 25,370 | | | 25,370 | | | |
| Reserve personnel, Air Force..... | | 54,000 | | | | | 25 | 25 | 54,025 | 54,000 | 25 | 54,025 | | | 54,025 | | | |
| National Guard personnel, Army..... | | 199,000 | | | | | 1,100 | 1,100 | 200,100 | 199,000 | 1,100 | 200,100 | | | 200,100 | | | |
| National Guard personnel, Air Force..... | | 46,000 | | | | | 137 | 137 | 46,137 | 46,000 | 137 | 46,137 | | | 46,137 | | | |
| Retired pay, Department of Defense..... | | 775,000 | | | | | | | 775,000 | 775,000 | | 775,000 | | | 775,000 | | | |
| Proposed for later transmission: Retired pay, Department of Defense..... | | | 24,000 | | | | | | 24,000 | 24,000 | | 24,000 | | | 24,000 | | | |
| Total, military personnel..... | | 11,813,000 | 24,000 | 350,000 | | | 240,832 | 240,832 | 12,427,832 | 12,187,000 | 240,832 | 12,427,832 | | | 12,427,832 | | | |
| Operation and maintenance: | | | | | | | | | | | | | | | | | | |
| Operation and maintenance, Army..... | 91,054 | 3,112,000 | | | | | 416,448 | 416,448 | 3,619,502 | 3,112,000 | 481,448 | 3,593,448 | | | 3,593,448 | | 26,054 | 26,054 |
| Operation and maintenance, Navy..... | 11,552 | 2,550,000 | | | -11,552 | 69,863 | 83,595 | 141,906 | 2,703,458 | 2,550,000 | 153,458 | 2,703,458 | | | 2,703,458 | | | |
| Operation and maintenance, Marine Corps..... | 7,089 | 176,000 | | | | 8,964 | 2,629 | 11,593 | 194,682 | 176,000 | 17,593 | 193,593 | | | 193,593 | | 1,089 | 1,089 |
| Operation and maintenance, Air Force..... | | 4,282,000 | | | | | 273,124 | 273,124 | 4,555,124 | 4,282,000 | 273,124 | 4,555,124 | | | 4,555,124 | | | |
| Operation and maintenance, Army National Guard..... | | 157,000 | | | | | 60 | 60 | 157,060 | 157,000 | 60 | 157,060 | | | 157,060 | | | |
| Operation and maintenance, Air National Guard..... | | 176,000 | | | | | 344 | 344 | 176,344 | 176,000 | 344 | 176,344 | | | 176,344 | | | |
| Promotion of Rifle Practice, Army..... | | 300 | | | | | | 300 | 300 | 300 | | 300 | | | 300 | | | |
| Operation and maintenance, Alaska Communication System, Army..... | | 7,000 | | | | | | 7,000 | 7,000 | 7,000 | | 7,000 | | | 7,000 | | | |
| Salaries and expenses, Secretary of Defense..... | | 20,000 | | | | | | 20,000 | 20,000 | 20,000 | | 20,000 | | | 20,000 | | | |
| Claims, Department of Defense..... | | 16,575 | | | | | | 16,575 | 16,575 | 16,575 | | 16,575 | | | 16,575 | | | |
| Contingencies, Department of Defense..... | | 30,000 | | | | | | 30,000 | 30,000 | 30,000 | | 30,000 | | | 30,000 | | | |
| Salaries and expenses, Court of Military Appeals, Department of Defense..... | | 425 | | | | | | 425 | 425 | 425 | | 425 | | | 425 | | | |
| Total, operation and maintenance..... | 109,695 | 10,527,300 | | | -11,552 | 78,827 | 776,200 | 843,475 | 11,480,470 | 10,527,300 | 926,027 | 11,453,327 | | | 11,453,327 | | 27,143 | 27,143 |
| Procurement: | | | | | | | | | | | | | | | | | | |
| Procurement of equipment and missiles, Army..... | 336,897 | 1,337,000 | | | | | 312,000 | 312,000 | 1,985,897 | 1,524,000 | 312,000 | 1,836,000 | | 149,897 | 1,985,897 | | | 149,897 |
| Procurement of aircraft and missiles, Navy..... | | 2,113,000 | | 198,000 | | | 24,500 | 24,500 | 2,333,500 | 1,609,000 | 15,224 | 1,624,224 | | 609,276 | 2,233,500 | 609,276 | 100,000 | 709,276 |
| Shipbuilding and conversion, Navy..... | 740,283 | 2,032,000 | | -8,546 | -10,926 | | 4,000 | -6,926 | 2,764,821 | 1,736,000 | 14,000 | 1,750,000 | | 202,000 | 1,952,000 | 202,000 | 812,821 | 1,014,821 |
| Other procurement, Navy..... | | 434,000 | | 8,546 | 22,478 | | 29,800 | 52,278 | 494,824 | 427,000 | 42,031 | 469,031 | | 15,724 | 484,755 | 15,724 | 10,069 | 25,793 |
| Procurement, Marine Corps..... | 125,900 | 94,000 | | | | | | | 219,900 | 141,000 | 6,000 | 147,000 | | 72,900 | 219,900 | 72,900 | | 72,900 |
| Aircraft procurement, Air Force..... | 1,636,000 | 2,994,000 | | | | | 50,000 | 50,000 | 4,680,000 | 3,612,400 | 50,000 | 3,662,400 | 150,000 | 627,600 | 4,440,000 | 777,600 | 240,000 | 1,017,600 |
| Missile procurement, Air Force..... | 219,000 | 3,024,000 | | | | | | | 3,243,000 | 2,850,000 | | 2,850,000 | 100,000 | 163,600 | 3,113,600 | 263,600 | 129,500 | 303,000 |
| Other procurement, Air Force..... | 323,100 | 1,057,000 | | | | | 20,000 | 20,000 | 1,400,100 | 1,045,000 | 20,000 | 1,065,000 | 50,000 | 211,300 | 1,326,300 | 261,300 | 73,800 | 335,100 |
| Aircraft and related procurement, Navy..... | 1,393,053 | | | -196,000 | | | | | 1,197,053 | 749,000 | 24,000 | 773,000 | | 424,053 | 1,197,053 | 424,053 | | 424,053 |
| Procurement of ordnance and ammunition, Navy..... | 71,087 | | | -2,000 | | | | | 69,087 | 35,000 | 27,000 | 62,000 | | 7,087 | 69,087 | 7,087 | | 7,087 |
| Aircraft, missiles and related procurement, Air Force..... | 414,633 | | | | | | | | 414,633 | 414,633 | | 414,633 | | | 414,633 | | | |
| Procurement other than aircraft and missiles, Air Force..... | 221,431 | | | | | | | | 221,431 | 221,431 | | 221,431 | | | 221,431 | | | |
| Total, procurement..... | 5,487,394 | 13,085,000 | | | 11,552 | | 440,300 | 451,852 | 19,024,246 | 14,364,464 | 510,255 | 14,874,719 | 300,000 | 2,483,337 | 17,658,056 | 2,783,337 | 1,366,100 | 4,149,527 |

See footnotes at end of table.

1960

CONGRESSIONAL RECORD — SENATE

16035

Department of Defense financial plan for fiscal year 1961—Obligation plan for general fund appropriations, fiscal year 1961 obligations—Continued

(In thousands of dollars)

| Appropriation title (1) | Resources available for obligation in fiscal year 1961 | | | | | | | | | Planned apportionment program | | | | | | Unobligated balance in fiscal year 1962 | | |
|--|--|---------------------------------|----------------------|----------------|---|--|------------------------|--|--|--|---------------------------------|---------------------|---|--|---|---|--|---|
| | Unobligated balance brought forward | Fiscal year 1961 appropriations | Proposed supplements | Transfers | Anticipated reimbursements based on orders to be received in fiscal year 1961 | | | | Total obligational availability (cols. 2-9) 3+4+5+9 | Planned obligations | | | Planned commitments | | Total planned apportionment program for fiscal year 1961 (cols. 13+14+15) | Total planned commitments in fiscal year 1961 (cols. 14+15) | Reserved for completion of approved programs | Total unobligated balance available in fiscal year 1962 |
| | | | | | From MAP .002 orders and adjustments | From orders subject to automatic apportionment | From all other sources | Total anticipated reimbursements from new orders | | For service account obligations (direct) | Obligations for customer orders | Total (cols. 11+12) | Unobligated portion of letter contract procurements | Other commitments in fiscal year 1961 (to be unobligated on June 30, 1961) | | | | |
| Research, development, test, and evaluation: | | | | | | | | | | | | | | | | | | |
| Research, development, test, and evaluation, Army..... | 29,922 | 1,041,700 | | | | | 7,418 | 7,418 | 1,079,040 | 1,041,500 | 7,418 | 1,048,918 | | 30,122 | 1,079,040 | 30,122 | | 30,122 |
| Research, development, test, and evaluation, Navy..... | 65,251 | 1,169,000 | | | | 22,531 | 1,102 | 23,633 | 1,257,884 | 1,207,500 | 23,633 | 1,231,133 | | 26,751 | 1,257,884 | 26,751 | | 26,751 |
| Research, development, test, and evaluation, Air Force..... | 164,231 | 1,334,000 | | | | | 56,000 | 56,000 | 1,554,231 | 1,337,500 | 56,000 | 1,393,500 | | 160,731 | 1,554,231 | 160,731 | | 160,731 |
| Salaries and expenses, ARPA, Department of Defense..... | 39,796 | 215,000 | | | | | | | 254,796 | 215,000 | | 215,000 | | 39,796 | 254,796 | 39,796 | | 39,796 |
| Emergency fund, Department of Defense..... | | 150,000 | | | | | | | 150,000 | 150,000 | | 150,000 | | | 150,000 | | | |
| Total, research, development, test, and evaluation..... | 299,200 | 3,909,700 | | | | 22,531 | 64,520 | 87,051 | 4,295,951 | 3,951,500 | 87,051 | 4,038,551 | | 257,400 | 4,295,951 | 257,400 | | 257,400 |
| Military construction: | | | | | | | | | | | | | | | | | | |
| Military construction, Army..... | 96,696 | 209,000 | | | | | 6,000 | 6,000 | 311,696 | 212,000 | 6,000 | 218,000 | | 93,696 | 311,696 | 93,696 | | 93,696 |
| Military construction, Navy..... | 88,798 | 190,000 | | | | | 5,000 | 5,000 | 283,798 | 190,500 | 5,000 | 195,500 | | 88,298 | 283,798 | 88,298 | | 88,298 |
| Military construction, Air Force..... | 511,727 | 725,000 | | | | | 5,000 | 5,000 | 1,241,727 | 880,000 | 5,000 | 885,000 | | 356,727 | 1,241,727 | 356,727 | | 356,727 |
| Military construction, Army Reserve..... | 2,105 | 12,000 | | | | | | | 14,105 | 12,000 | | 12,000 | | 2,105 | 14,105 | 2,105 | | 2,105 |
| Military construction, Navy Reserve..... | 7,625 | 4,000 | | | | | | | 11,625 | 7,000 | | 7,000 | | 4,625 | 11,625 | 4,625 | | 4,625 |
| Military construction, Air Force Reserve..... | | 4,000 | | | | | | | 4,000 | 4,000 | | 4,000 | | | 4,000 | | | |
| Military construction, Army National Guard..... | 15,180 | 8,000 | | | | | | | 23,180 | 20,000 | | 20,000 | | 3,180 | 23,180 | 3,180 | | 3,180 |
| Military construction, Air National Guard..... | | 7,000 | | | | | | | 7,000 | 7,000 | | 7,000 | | | 7,000 | | | |
| Military construction, Army (special foreign currency program)..... | | 2,000 | | | | | | | 2,000 | 2,000 | | 2,000 | | | 2,000 | | | |
| Military construction, Navy (special foreign currency program)..... | | 3,000 | | | | | | | 3,000 | 3,000 | | 3,000 | | | 3,000 | | | |
| Military construction, Air Force (special foreign currency program)..... | | 4,000 | | | | | | | 4,000 | 4,000 | | 4,000 | | | 4,000 | | | |
| Loran stations, Department of Defense..... | | 20,000 | | | | | | | 20,000 | 20,000 | | 20,000 | | | 20,000 | | | |
| Military construction, Advanced Research Projects Agency..... | 24,513 | | | | | | | | 24,513 | 20,000 | | 20,000 | | 4,513 | 24,513 | 4,513 | | 4,513 |
| Construction, Alaska Communication System, Army..... | 50 | | | | | | | | 50 | 50 | | 50 | | | 50 | | | |
| Total, military construction..... | 746,694 | 1,188,000 | | | | | 16,000 | 16,000 | 1,950,694 | 1,381,550 | 16,000 | 1,397,550 | | 553,144 | 1,950,694 | 553,144 | | 553,144 |
| Department of Defense: | | | | | | | | | | | | | | | | | | |
| Office of the Secretary of Defense..... | 64,309 | 1,227,000 | 24,000 | | | | | | 1,315,309 | 1,271,000 | | 1,271,000 | | 44,309 | 1,315,309 | 44,309 | | 44,309 |
| Department of the Army..... | 571,904 | 9,546,000 | | 260,000 | | | 913,026 | 913,026 | 11,290,930 | 10,007,850 | 978,026 | 10,985,876 | | 279,000 | 11,264,876 | 279,000 | 26,054 | 305,054 |
| Department of the Navy..... | 2,516,648 | 12,013,000 | | 60,000 | | 101,358 | 189,196 | 290,554 | 14,880,202 | 12,139,000 | 366,509 | 12,505,509 | | 1,450,714 | 13,956,223 | 1,450,714 | 923,979 | 2,374,693 |
| Department of the Air Force..... | 3,490,122 | 17,737,000 | | 30,000 | | | 435,630 | 435,630 | 21,692,752 | 18,993,964 | 435,630 | 19,429,594 | 300,000 | 1,619,858 | 21,249,452 | 1,619,858 | 443,300 | 2,263,158 |
| Total, Department of Defense (military functions)..... | 6,642,981 | 40,523,000 | 24,000 | 350,000 | | 101,358 | 1,537,852 | 1,639,210 | 49,179,193 | 42,411,814 | 1,780,165 | 44,191,979 | 300,000 | 3,293,881 | 47,785,860 | 3,593,881 | 1,393,333 | 4,987,213 |

¹ Excludes applicable portion of \$1,443,150,000 MAP .002 orders anticipated to be issued from fiscal year 1961 "Military assistance" appropriation. Distribution of these orders by recipient appropriation or revolving fund account is not determinable at this time.

² Provision has been made in planned service account (direct) obligations for conversion to obligations of unobligated portions of procurements involving letter contracts brought into fiscal year 1961 as follows: "Procurement of ordnance and ammunition, Navy," \$20,000,000; "Aircraft procurement, Air Force," \$150,000,000; "Missile procurement, Air Force," \$100,000,000; "Other procurement, Air Force," \$50,000,000.

³ Excludes proposed \$30,000,000 reappropriation transfer of unexpended balances from expired accounts to the revolving fund account "Acquisition, rehabilitation, and rental of Wherry Act housing."

⁴ The total obligational availability is the sum of the amounts available to each individual appropriation account. Consequently, the totals of the appropriation groupings as well as the departmental and DOD totals are overstated by the "duplicate count" of reimbursements arising from intraservice and interservice reimbursement transactions which in grand total, amount to approximately \$900,000,000.

Mr. JOHNSON of Texas. I should like to follow that with a memorandum with regard to the President's message yesterday in connection with certain defense items. I ask unanimous consent to have it inserted at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

In his message to the Congress yesterday the President referred to actions he had taken to expand certain long-range defense programs.

Although the President failed to mention it, the only reason he was able to take these actions was because the Congress had appropriated additional funds for these programs over the protests of the administration.

1. Continuous airborne alert: The President's budget requested \$85 million. Congress provided \$170 million—an increase of \$85 million—and also provided blank check authority for the President to spend any amount he considered necessary for airborne alert.

2. Modernization of Army combat equipment: The President's budget requested \$1,337 million for total Army procurement. Congress appropriated \$1,495 million—an increase of \$158 million.

3. Military airlift: The President's budget included \$120 million for airlift modernization. The Congress added an additional \$200 million for this purpose. (The books will show a net increase in appropriations of \$190 million, since the \$200 million increase is reduced by \$10 million attributable to the 3 percent across-the-board procurement cut.)

4. B-70: The President's budget included \$75 million for developing two B-70 non-operational prototypes. The Congress increased this to \$265 million—an increase of \$190 million—and also provided an additional \$100 million which could be used for additional fighter aircraft or for the B-70. Congress specified that the additional funds were to be used to develop the B-70 as a complete weapons system.

5. Samos reconnaissance satellite: The President's budget included \$333 million for three Air Force satellite programs—Samos, Midas, and Discoverer. The Air Force stated in April that \$206 million of this combined total was programmed for the Samos. The Congress provided a total of \$290 million for Samos—\$84 million more than the budget request.

6. Polaris: The President's budget included \$952 million for three Polaris submarines plus partial financing for long leadtime components for three additional submarines. The Congress appropriated \$1,346 million for five Polaris submarines plus partial financing for seven additional submarines. This is an increase of \$394 million over the President's budget request.

(In April, the Secretary of Defense recommended adding \$153 million to the Polaris program, thereby supporting a revised program of three fully funded Polaris submarines plus long leadtime components for nine additional submarines. This would have provided \$1,105 million for Polaris. However, the Secretary of Defense also recommended deleting two nuclear attack submarines from the program, in order to obtain \$114 million of the \$153 million additional costs for Polaris. The Congress ignored the Department of Defense request to delete the two attack submarines—as a matter of fact, the Congress added \$57 million for an additional attack submarine over and above the three that had been in the President's budget originally.)

THE HIGH PRICE OF CHEAP MONEY

Mr. BUTLER. Mr. President, if I may be permitted to paraphrase, "Cheap money is the root of all financial evil." There are many Americans and many American institutions who understand this, believe this, and do not hesitate to proclaim it. One of the most influential and convincing guardians of this principle is the Wall Street Journal, and in this morning's edition, on the editorial page, the Wall Street Journal quotes from a table compiled by the First National City Bank of New York to show that the United States, far from being unbelievably tightfisted, has the lowest interest rate for borrowed money in the world. Second, the editorial points out that it is in those countries which have attempted to run their economy with "cheap" or "easy" money where the interest rates are the highest in the world, soaring as high as 13½ and 15 percent in some nations.

Mr. President, as the editorial concludes, "the moral in this little tour of the world, if it needs to be stated, is that for the people 'cheap' money is the most expensive of all."

I ask unanimous consent to have printed in the RECORD the following editorial from the Wall Street Journal, dated August 9 and entitled, "The High Price of Cheap Money."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 9, 1960]

THE HIGH PRICE OF CHEAP MONEY

The Democrats are deploring the "high interest rates" which people today have to pay when they borrow—all due, naturally, to the Eisenhower hard money policy—and one of the boons they promise us, if elected, is cheap money.

Well, the First National City Bank of New York has just compiled a table showing interest rates around the world. It gives the rate for prime commercial loans, which is the cheapest money that can be borrowed by the biggest and best firms. The man who walks into a bank to borrow for his personal use will pay much more. And the table makes very interesting reading indeed.

It shows, first off, that the current 4-percent prime rate in the United States for borrowed money is the lowest in the world. In Great Britain, for example, the best borrowers pay as much as 7½ percent. In France, 7¼ percent. In Japan, 9 percent. There is no place where you can borrow money cheaper than right here.

Indeed, there are only two countries where the current prime rate even approaches the low level of the United States. These two—and we hope Senator KENNEDY will take note—are both "hard" money countries. The rate in Portugal is 4 percent, as here, and in Switzerland 4½ percent.

Mr. KENNEDY might also note that in the countries that have gone further in a socialistic planned economy, complete with welfare state, borrowed money is considerably more expensive than under our alleged high rates. In Norway the biggest and soundest borrowers pay 5½ percent; in Sweden 6½ percent.

But what really sends a chill down the spine is a look at the soaring prices for borrowed money in those countries which have deliberately, and diligently, followed cheap money policies. In Brazil and Paraguay the

cheapest you can borrow is 12 percent. In Peru the best commercial loans cost 13½ percent. And in Chile the lowest rate is 15 percent.

These, mind you, are for loans on the best business security. The man who wants to borrow to buy a house or pay a hospital bill must pay 20 percent and up, if he can borrow at all. For once everyone realizes that a government is deliberately going to cheapen the money, interest rates soar in a desperate effort to keep up with the inflation.

So the moral in this little tour of the world, if it needs to be stated, is that for the people "cheap" money is the most expensive of all.

SOVIET EDUCATION

Mr. HUMPHREY. Mr. President, at the request of the Louisiana State University Alumni News magazine, I prepared an article on Soviet education and its implications for education in the United States.

I ask unanimous consent that my article, which appeared in the July issue of the Alumni News magazine, be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET EDUCATION: A THREAT AND A CHALLENGE

(By U.S. Senator HUBERT H. HUMPHREY)

Soviet sputniks and moon missiles have shocked Americans into the realization that our strength as a nation is being threatened by the inadequacies in our educational system. Russian students, we are told, are being rigorously trained in the sciences, mathematics, and languages, while our own students are handicapped by a lagging, underfinanced educational system.

Is a Russian education, then, so much better than an education obtainable in Louisiana, or in Minnesota, or any other part of our country? In some respects, it unquestionably is better. Certainly our best schools are just as good or better than the best the Russians have. Probably our worst schools are not as bad as the poorest of theirs. But viewing the school systems as a whole, it is obvious that millions of Russian children are getting the kind of educational opportunity and intellectual stimulation in certain areas of knowledge that only a few can get here. Their children are no brighter than ours, but more is expected of them.

There are many aspects of the Soviet educational system which I do not like. History taught according to the party line is, to me, not real history. Although the Russian student spends a considerable amount of time studying literature, he must interpret it according to party doctrine. The state and the party control how and what each student should be taught.

These are serious limitations in the Soviet school system. As long as they exist, the quality of general education in the Soviet Union must inevitably be impaired.

I do not think this should be used as an excuse, however, to ignore the virtues in the Soviet system, or to conclude that we have nothing to learn from it. Educational standards in the Soviet Union are in many ways very high. And—most important of all, perhaps—a conversation with any Russian, from Khrushchev to the man in the street, brings the conviction that they intend to make their schools even better.

Take a look at the Soviet budget. In 1959, the Russians allocated 94.4 billion rubles to

educational and cultural needs. This figure represents 13.5 percent of the total budget. This is an amazingly high figure when you consider the enormous pressure on the Government for development in critical areas of the economy and for defense expenditures. It has been estimated that the Soviet expenditure for general educational purposes represents about 8 percent of their gross national product.

The Russians are now in the process of making substantial changes in their school system, which are designed to give students experience in practical work, in addition to their academic subjects. How successful they will be in accomplishing this dual purpose it is impossible to say at this time. But certainly their public statements indicate a general determination to maintain the highest possible scholastic standards.

Until the new reforms are fully in effect, many schoolchildren in the Soviet Union will continue to study under a system similar in structure to that in the United States. The elementary school includes the first through the fourth grades; the middle school covers grades 5, 6, and 7, and the secondary school includes grades 8, 9, and 10. Far from all students manage to complete their 10-year secondary schooling. Those who do, however, have been exposed to a full program of academic training, which is designed to prepare them for advanced study in a university or institute.

The workload in a Soviet school is heavy. Students attend classes 6 days a week. Those who have completed the 10-year general school have, therefore, spent about the same amount of time in class as our own children have in 12 years. This in itself would not be alarming if it meant that the more leisurely pace in this country resulted in the mastering of more difficult material. The opposite appears to be true. By the time the Russian student has completed 10 grades he has taken trigonometry, physics, and chemistry. These are not electives for him. They are requirements. And in order to get a certificate signifying his successful completion he must pass very tough examinations, some oral and some written, in each subject.

It is not only my opinion, but the opinion of American scholars and scientists who have studied these examinations, that very few of our students could pass the examinations in science and mathematics upon completion of high school. Even a first or second year college student studying mathematics would probably find the examination in his field a very challenging one.

Inferiority in the intelligence of our youth is not the answer. Instead, we are failing to give American students the opportunity to learn to their fullest capacities and needs. We are underrating our young people, and doing them an irreparable injustice by assuming that they are less capable of learning than their contemporaries in the Soviet Union and in Western Europe.

Most Americans who hear about how much science and mathematics the Soviet student is required to study believe that it has been at the sacrifice of instruction in the humanities. This does not appear to be true. Examination of Soviet curricula shows that the time allotted for study of the humanities has been about the same as that allotted to the sciences, mathematics and technical training. It is true that the content of many of these humanities courses is poor and badly distorted from our point of view. But the Russians have proved that it is possible to give extensive instruction in both areas if careful use is made of classroom time.

A student in the U.S.S.R. works hard. He does not have study periods during school hours in which to prepare his homework for the next day. Preparation must be done in

the evenings, and the school libraries often remain open until late so that students may have access to the books they need.

In comparison, American students have a pretty easy time. Homework often is either light or nonexistent. Students can devote their evenings to TV or a basketball game and still get by.

I do not believe that the standards of classroom performance in the United States should be so high that recreational pursuits become impossible. But I do believe we can find a better balance than we have now. And I also believe that our students would react favorably to a little more intellectual challenge, a little more stimulation than they are getting.

Fundamental to the success of any school system, of course, is the caliber of the teachers in it. The Russians are making strenuous efforts to establish a high level of training and performance for the young men and women entering the teaching profession. Most startling, perhaps, is the fact that they no longer face the problem of a teacher shortage. In fact, the competition among students to attend teachers institutes is so rigorous that only one out of every five can be accepted. There are at least two important reasons for this. One is that, in general, there is no serious economic barrier for students who wish to go on to higher education. A large percentage of those who are preparing to enter teaching, as well as those going into other fields, are given stipends to cover living expenses while they are in the university or institute. Since institutions of higher education charge no tuition, most young people who attend them are able to do so without needing substantial financial resources of their own.

Equally important is the fact that the teaching profession is highly respected by the Russian people. A teacher in Russia commands a prominent position in community life. Compared to American teachers, he is poorly paid. But compared to others in the Soviet society, which, after all, is a more meaningful basis for comparison, he does quite well. Beginning teachers are often able to earn salaries equal to those of beginning doctors and engineers. They are eligible for periodic increases, according to length of service. Superior teachers also get higher salaries or a bonus.

One important measure that has been taken in the Soviet Union in recent years is the lengthening of the program of the teacher training institutes from 4 years to 5. This resulted from the conclusion of Russian educators that teachers, especially on the secondary level, need time not only to learn how to teach, but also to acquire a thorough mastery of their subject matter. The Russians do not intend to neglect either phase. Both the scope and quantity of training a prospective teacher gets are impressive. A teacher of mathematics, for example, is expected to have about as much specialized training in his field as the person going directly into production work. Nor does his training end with graduation. Various methods are employed to enable the teacher to keep up with developments in his field and improve his qualifications. This procedure of inservice training appears to be highly developed, and teachers are periodically sent back to school for refresher courses. They also maintain contact with their schools through correspondence, extension, and evening courses.

I do not want to be in the position of criticizing our own teaching profession. Most of our teachers are doing the best they can under very difficult circumstances. I believe most of them would be overjoyed to see a greater emphasis in this country on knowledge of subject matter, particularly at

the secondary school level, when knowing how a subject should be taught is no substitute for mastery of the material.

The young people in this country who plan to enter the teaching profession deserve the best education possible. They should be provided with greater incentives to continue studies in their fields throughout their careers, and they should be given the opportunity to do so without making impossible financial sacrifices.

By pointing to these strong points in Soviet education, and some of our comparatively weak ones, I do not want to imply that I believe imitation of the Soviet system will solve our school problems. I do not want to see us become so frightened by sputniks and luniks that we begin to think that everything the Russians do is right and everything we are doing is wrong. Nothing could be more disastrous. I believe we should study the Soviet system. I believe we can learn something from it. But I do not believe we should copy it.

Perhaps to balance the picture I should point out that the Russians themselves find much to criticize in their own school system. Their newspapers regularly carry indignant complaints about the poor quality of teaching in some areas and about the nature of curricula. They, too, are puzzling over the problem of how much training a teacher should have and what kind of training it should be. Some of their problems are not too different from ours. One person writing to *Izvestia*, the official state newspaper, recently complained that the "present inadequate command of a foreign language on the part of secondary school graduates is largely due to the fact that sometimes (especially in the districts and rural areas) these subjects are taught by teachers who have had no special education." Some teachers, he states, are "unable to read a text correctly, to say nothing of the fact that they have not the slightest idea of correct pronunciation."

One of the Republic Ministers of Education stated in *Pravda* that many teachers are now doing a poor job. They have both "inadequate knowledge of subject and of teaching methods." Others have written that some Russian teachers have insufficient teacher training, and that teacher-training institutes should require more pedagogical courses. A director of a teachers' institute proposed last year that awarding the title of teacher and the issuance of diplomas to graduates should not be done until 2 years after graduation. He then suggested that during these 2 years teachers in specialized subjects should get additional experience for approximately 6 months on a collective farm, at a plant or in a scientific research institute. Only those who gave a good account of themselves during this time should then be given the title of teacher and a diploma. In this way, teachers' institutes would be protected from an influx of random persons. Only those who felt a calling for the teaching profession and were not afraid of difficulties would attend.

Another complaint which appeared some time ago in *Izvestia* should sound familiar to Americans. From Rostov Province came the lament that "conditions have not been equal for urban and rural schools. In our district, for example, there are only 2 pianos for 56 schools, whereas in an urban school one sometimes finds not only a piano but a large number of other musical instruments as well. The result is that even very talented children are sometimes unable to prove themselves in the rural schools."

These are only very limited samples of the problems which the Russians are facing in their school system. Their schools are far from perfect, as they themselves are willing

to admit. Nevertheless, their accomplishments have been tremendous. Less than half a century ago a public school system as we know it was virtually nonexistent. It is an impressive fact that in this time the Soviet Union changed from a country with three-fourths of its population illiterate to one not only highly literate, but capable of producing engineers and scientists at a faster rate than we are now doing. This is an astounding achievement.

How have they been able to do it? The answer to this is complex, and involves questions of philosophy of government, the relationship of the state to the individual, and other problems too involved to go into here.

But basic to their success is the overwhelming dedication to education by the Russian people.

This, then, is the real challenge to us. We cannot meet it by simply copying their curriculum requirements or trying to match the numbers they are graduating each year from their universities and institutes in particular fields. Inevitably, we would always be a step behind.

I believe in our principles of democratic government and a free society. I am proud of the American heritage and American accomplishments. But I think we must all remind ourselves that the strength of our society and the accomplishments we have wrought have grown out of the dedication to knowledge, understanding, and education, that our countrymen have had in the past—a dedication we must show once again.

If we revive this dedication, as we must, we shall not have schools equal to those of the Russians. Ours will be better.

In this case, dedication cannot be expressed only in terms of dollars and cents. We must use our wealth. But we also must use all the thought and foresight that we can muster.

I am not referring to the kind of thought that goes in circles, and ends with the conclusion that the problem is so vast and so difficult that we have to study and restudy it before we can do anything at all. We need thought that results in plans, and programs, and action.

There is no simple answer to the problem of what action should be taken to meet the needs of our educational system. But if we accept the thesis that a basic responsibility of our schools is to teach our young people to think—constructively, independently and imaginatively—then I believe a number of measures suggest themselves.

First of all, we must strengthen our curriculums. Better course selection must be offered, and requirements must be made more rigorous. At present we are faced with a situation where a course in elementary physics is not even taught in 12,000 of our 21,000 high schools. It is often impossible for students, even in some of our better schools, to take more than 2 years of foreign language. In some, no foreign language is taught at all.

Course deficiencies such as these must be eliminated. The solution will depend on the local situation. In rural areas, consolidation of schools may be necessary in order to make broad course offerings feasible. In some cases, we will simply have to spend more money. In others, a reallocation of resources may suffice.

It is not easy to define what is "essential" in terms of today's schools. Basically, however, I believe our talented young men and women should be taking more science courses, including physics and chemistry, along with at least 3, preferably 4 years of mathematics. Language requirements should be revised so that students get a useful reading and speaking knowledge. This

would mean at least 4 years' study of one language.

Not everyone will be able to do equally well in these subjects. Therefore, I suggest that courses be organized to challenge the bright student to superior performance. Slower students should be taught at a rate commensurate with their ability. Obviously, each school or each school district must select the means of doing this which is best adapted to its particular situation. But we must realize that we cannot continue to neglect all of our students by concentrating on the mythical "average."

But every student should get a thorough grounding in English grammar and literature through his secondary school training. We must expand requirements in the humanities and the social sciences beyond the present general requirements.

The urge to compete with Soviet education in science, mathematics, and foreign languages must not blind us to the profound importance of the humanities. The liberal arts—literature, history, philosophy—are essential studies if we are to preserve our perspective in a rapidly changing world. Certainly we need more and better scientists and engineers. But we will also need more and better teachers, economists, lawyers, community leaders, and statesmen. And to preserve and extend our American traditions and our culture, we need artists, theologians, and philosophers.

Each child who demonstrates the capacity to do college work should have the opportunity to continue his education. This means we must greatly expand our scholarship programs in all fields of study. Scholarship aid must be made available not only in the sciences and mathematics, but also in the humanities. I supported the inclusion of a scholarship program in the National Defense Education Act of 1958. Unfortunately, this provision was not included in the version of the bill which finally passed. I hope this situation will quickly be corrected. I, myself, took a step in this direction during the last session of Congress by introducing a student aid bill, which would establish a Federal scholarship program.

The need for such a scholarship program is beyond doubt. The Office of Education in the Department of Health, Education, and Welfare made a study which shows that in 1957-58, more than 70,000 qualified students who requested financial aid from colleges and universities were denied assistance. Under my bill, at least 46,000 worthy young people each year would be helped to enter the university or college of their choice. In addition, the institutions which these students attended would be compensated in part for the costs of providing education to the scholarship holder. In view of the burden of swollen enrollments, this provision is vitally important. Our institutions of higher learning must be assured of adequate means to maintain a high level of instruction.

I believe we must improve the caliber of our teaching profession. We desperately need more and better teachers. Higher salaries are part of the answer to this problem. I have consistently sponsored and supported legislation in Congress to make this possible. Along with higher salaries, a revision of standards and requirements for teachers may be equally essential. Teachers in our secondary schools, especially, should have a thorough mastery of their specialized subjects. Prospective teachers should not be discouraged by being forced to meet unrealistic and unnecessary State and local certification requirements. A person who is poorly trained in his field, but has taken the specified teachers college courses should not

automatically be favored over the expert who has not.

As I stated earlier, I believe our teachers should have the opportunity to improve their qualifications. Again, Congress has taken a small step in this direction by establishing a program for advanced training of language teachers under the National Defense Education Act. Much more remains to be done in this field.

Finally, I believe that in order to improve our school facilities throughout the country, we must improve our methods of financing them. Today we are faced with the dilemma that we simply do not have enough schoolrooms or laboratory facilities to take care of our young people. Many local and State governments—and many school districts at their bonded debt limits—do not have the tax base to meet the ever-growing demand. The solution of this dilemma requires Federal aid for school construction. I do not like to see any student receive an inferior education just because his parents happen to live in an area where there is insufficient wealth to build and maintain a decent school. A construction program on a nationwide basis is essential to make educational equality a possibility throughout the United States. Only the Federal Government has the resources to support a national effort in education.

Our schools would get a tremendous boost by action in Congress on a good national school assistance bill. We must provide Federal aid for State and local school systems, valiantly struggling along with overcrowded classrooms and low-paid teachers. Halfhearted, halfway measures will not solve our educational problems. Our children will not have the kind of education they need for the space age unless they have excellent, well-paid teachers, well equipped classrooms, libraries, laboratories and health facilities in every school community in the Nation.

Each bill providing for Federal aid to our schools must have one common provision—an explicit prohibition against any Federal direction, supervision or control over the personnel, curriculum or program of any school system. Such a prohibition is an indispensable provision in any school legislation which Congress considers. It is included in my own bills, and in those which I support.

The suggestions given here are not in themselves the final answer to our educational needs. They are not even my own final answer. Each improvement that is made will pave the way for an even greater improvement. Our educational system cannot be static. It must develop and grow within the context of our free, democratic society. Our American schools have served us well in past years. They have perpetuated our democratic ideals, and have made it possible for the United States to achieve a standard of living unequaled in the world. We must not throw over this glorious past. We should, however, strive to build upon it. An education that was good enough for our fathers is not good enough for our children. Our country faces a physical and moral challenge unmatched in its history. The educational needs of our children are therefore greater than ever before. We must meet these needs with courage, determination and action.

THE DEMOCRATIC CANDIDATES—A RECORD OF ACHIEVEMENT

Mr. HUMPHREY. Mr. President, Walter Lippmann, in a column published in the Los Angeles Times following the Democratic National Convention, summarized the excellent record of

experience and leadership of our Democratic candidates, Senators KENNEDY and JOHNSON, in both domestic and foreign affairs.

Mr. Lippmann emphasized, too, that Senator JOHNSON, as the majority leader in the Democratic Congresses which have passed two major civil rights bills, is an excellent complement to the Democratic Party's exceptional and forthright civil rights platform plank.

Mr. President, I ask unanimous consent that Mr. Lippmann's lucid and objective appraisal of the Democratic ticket be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, July 20, 1960]
JOHNSON'S EFFECTIVENESS ON CIVIL RIGHTS
WILL STRENGTHEN KENNEDY
(By Walter Lippmann)

Boring though so much of a convention is to the spectators, no one is likely soon to invent a substitute for it.

Behind all the hoopla a convention is the way by which the men who have political power in their locality meet and confer face to face.

They have to do more than choose a candidate for President. They have also to approve a platform and to agree to a Vice President. They have to coordinate these three elements—the two candidates and the platform.

The Democrats did this by nominating JOHNSON after they had taken KENNEDY and a platform which in its controversial plank is addressed to the Northern States.

A combination of this kind, which each party seeks in each convention, could not be worked out if the men who have the political power did not all come together in one city.

JOHNSON was nominated by acclamation because the political bosses of the big Northern States agreed with KENNEDY that he added the most strength to the ticket. The civil rights plank in the platform is a formidable set of declarations and pledges, calling for much more moral and even legal intervention by the President than the South has known since the end of Reconstruction.

KENNEDY's choice of JOHNSON cannot fairly, I think, be interpreted as meaning that he is nullifying the platform, that he means to run on one kind of civil rights plank in the North and another in the South.

For JOHNSON is a southerner but not a sectionalist. More than any other man in public life, more than any politician since the Civil War, he has on the race problem been the most effective mediator between the North and the South. He is the man who induced the Senate to accept the civil rights legislation which strikes at the disfranchisement of southern Negroes.

JOHNSON is, in fact, aware of and ready for the advances toward equality which the platform describes. But no one knows better than he how much of and how fast an advance the changing sentiment of the South is ready to accept.

The problem of accommodating the North and the South on the race question is a problem in both parties. NIXON, naturally enough, has hopes in the South. KENNEDY is a Catholic, he is eastern and urban, the platform goes far on civil rights and it goes farther on the welfare measures than conservative southerners like.

But NIXON cannot run in the South as being softer than KENNEDY on the issue of civil rights. For if he does, NIXON will be in trouble in the Northern States.

It is probably true, as many good observers have been saying, that events abroad, which cannot now be foreseen, may decide the contest between KENNEDY and NIXON.

As of now NIXON's main talking point is that for nearly 8 years he has had access to all the information and has been in a position to hear the arguments which have led up to the position of the Eisenhower administration.

KENNEDY's main talking point is that in these 8 years the American position, relative to the Soviet Union, has declined—and that it must be due to a failure to develop American power and to lack of wisdom and skill in conducting our affairs.

In my view, KENNEDY has the better of NIXON on these points. As for their comparative experience, while KENNEDY has not been on the inside of the Eisenhower administration, he has been a member of the Senate Committee on Foreign Relations. He is, therefore, far from being an ignorant outsider.

What is more, he is far less committed than is NIXON by the mistakes and omissions of the past, and he is much freer to set in motion that reappraisal and revision of the Acheson-Dulles system of alliances, which is now inevitable and imperative.

To be 4 years older means nothing when both men are in the prime of their lives. As for political experience and maturity, the KENNEDY-JOHNSON combination is a highly professional one.

In domestic affairs, their combined experience would be hard to match. In foreign affairs, KENNEDY, who knows the score himself, has within reach a great many men, beginning with Stevenson and Fulbright and Bowles and including many of the ablest members of the Foreign Service. These men know very well indeed what the world is like today.

There is then no danger that our affairs will fall into the hands of inexperienced amateurs.

TRIBUTE TO SENATOR ESTES KEFAUVER

Mr. HUMPHREY. Mr. President, the people of Tennessee cast an overwhelming vote of confidence for their senior Senator, our colleague and my good and valued friend, ESTES KEFAUVER, in the Tennessee Democratic primary last week.

Senator KEFAUVER went back to his State and talked to his fellow Tennesseans, in his honest, direct, persuasive way, about the great issues of our times. He took his record in this body back to Tennessee and explained it to his neighbors, the men and women who selected him to represent them. His opposition attempted, with a demagogic appeal to sectionalism and prejudice, to distort that record and to discredit the work of the great Tennessee Senator for his State, our Nation, and all the peoples of the world.

Mr. President, as a friend and colleague, it is a privilege and pleasure to pay tribute to the senior Senator from Tennessee [Mr. KEFAUVER] and to congratulate him on his landslide victory.

Mr. President, I ask unanimous consent that an editorial from the Mil-

waukee Journal of August 5, 1960, summing up the national political impact of the Senator's triumph, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Milwaukee (Wis.) Journal, Aug. 5, 1960]

KEFAUVER'S IMPRESSIVE WIN

Senator ESTES KEFAUVER's smashing primary triumph in Tennessee over Judge Andrew T. Taylor marks a victory over some of the ugliest forces in the South and in the Nation.

The Kefauver opponent was a States Righter and a racial segregationist of the narrowest dimensions. His appeal was to the most reactionary and backward looking voters in the Volunteer State. He urged a return to regionalism and traditionalism for Tennessee and the South and isolationism for the Nation. He stooped to the worst demagoguery, accusing KEFAUVER of supporting creeping socialism and black supremacy, of deserting Dixie and of being a one worlder.

KEFAUVER's landslide win is expected to have far reaching political results.

It will help to slow down, if not end, talk of southern rebellion against the national Democratic ticket of KENNEDY and JOHNSON and the 1960 civil rights plank. It will encourage Democratic hopes of holding the South in November. It should help to speed antisegregation moves, particularly in the border States, and should encourage moderates throughout the South.

Finally, it assures the return of a competent Senator to Washington for 6 more years.

PHILIP B. PERLMAN AND LELAND OLDS: OUTSTANDING SERVICE TO AMERICA

Mr. HUMPHREY. Mr. President, last week America lost two of her most devoted and brilliant public servants, with the death of Philip B. Perlman, on July 31, and Leland Olds, whose death came on August 4.

It is an honor to pay tribute to these men.

Only last month Philip Perlman was cochairman of the platform committee of the Democratic National Convention. The document drafted by his committee and adopted by our party is easily the most progressive and outstanding platform ever written by any party. Clear in that platform is the devotion to human rights which our party champions, and which Philip Perlman so eloquently defended as Solicitor General of the United States. Mr. Perlman's brief against racially restrictive covenants on real estate is a classic document in our struggle to assure all Americans equal rights under the law and equality of opportunity. Philip Perlman won that case with the Supreme Court's 6 to 0 decision holding that such covenants could not be enforced by the courts. As Solicitor General, Philip Perlman won all but 12 of the 61 cases he argued before the High Court.

Leland Olds served for 10 years as a member of the Federal Power Commission, and during the major portion of that time as Commission Chairman. He was devoted to the public interest and

devoted all his energies as FPC member and Chairman to guaranteeing that the best interests of all the people were served by utility companies. Leland Olds sought to preserve genuine and effective free enterprise competition among utilities. But for private power interests seeking monopoly control of power facilities, competition was fine for the other fellow but not for utilities. It was a contradiction, certainly, that the more conservative elements in our national life who so bitterly opposed Leland Olds most often paid lip service to the idea of competition as the cornerstone of free enterprise, but more often fought practical measures to strengthen this system.

It is interesting to note, too, that Leland Olds was a pioneer of the St. Lawrence Seaway. Back in 1941, he helped to negotiate the basic United States-Canadian agreement to deepen the waterway and develop hydroelectric power as part of the project.

After the interests with whom Mr. Olds clashed were able to block his reappointment to the FPC by President Truman, Mr. Truman continued to use his talents and experience on the Water Resources Policy Commission and an Interior Department study of New England resource development. However, I think a most significant sentence in the New York Times report of Leland Olds' death was:

Since 1952, Mr. Olds had been out of public life.

The regulatory commissions since 1952 have not been notably concerned with the general good of our people as their most important objective—the spirit of Leland Olds has been sorely lacking in these bodies.

Mr. President, the deaths of Philip Perlman and Leland Olds are reminders to all of us in public life that we must continually renew our dedication to securing the human rights of all and to guaranteeing that our Federal Government serve the interests of all our people, and never the interests of one group at the expense of others.

DAVID B. KARRICK

Mr. BUSH. Mr. President, our morning hour was so taken up with debate that I did not have a chance to make a comment which I now wish to make in the RECORD concerning the death of my good friend, David Karrick, a former member of the Board of Commissioners of the District of Columbia. His death came very suddenly, as a very great shock to all of us who knew him. He was a very delightful gentleman; a witty, wise, and very able person. In recent years he devoted all of his time to the Nation's business, as one of the three District Commissioners. In that capacity he rendered extraordinarily able service and made a remarkably fine place for himself in the hearts and minds of all the residents of the District.

After serving some years as a member of the Commission, David Karrick was appointed Ambassador to Ecuador, and was about to take over his duties when he was suddenly seized with a heart attack and expired. This is a very heavy loss to the District of Columbia and to a very wide circle of friends of David Karrick. I take this opportunity to express to his close friends—of whom I am one—and to members of his family my deep sympathy and understanding of their feelings at this difficult time.

RESOLUTIONS OF THE WEST VIRGINIA BANKERS ASSOCIATION

Mr. RANDOLPH. Mr. President, I wish to invite the attention of the Members of this body to the fact that oftentimes we hear from our constituency, either from an individual citizen or an organization of which a citizen is a member, expressing a viewpoint or a conviction as to a pending matter being considered by a committee or by the Senate. Very often we receive these pleas, in some instances, or representations, in other instances, after the fact.

A Member of the Senate, properly comes to a certain conclusion, after having heard the witnesses and having listened to the testimony. The Senator makes his determination on a specific matter of proposed legislation after perhaps a long period of time, and very often—I say this in no criticism whatsoever—the Senator does not have the counsel of the people back home before the fact. This is very important.

Often we receive a telegram the night before a vote on an amendment is to take place, or the night before a vote on passage of proposed legislation is programmed, expressing a viewpoint for or against a bill or a proposal. Seldom does this give to the Senator the advice and the aid which I think he not only really needs but also would welcome if received in sufficient time to be carefully evaluated.

In this connection, Mr. President, I ask unanimous consent that the resolutions passed unanimously by the West Virginia Bankers Association on July 16, 1960, in reference to proposed legislation which is still under consideration by the Congress, be printed in the RECORD at this point, along with the letter of transmittal from the executive manager of the West Virginia Bankers Association.

There being no objection, the letter and resolutions were ordered to be printed in the RECORD, as follows:

WEST VIRGINIA BANKERS ASSOCIATION,
Charleston, W. Va., August 1, 1960.

HON. JENNINGS RANDOLPH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR RANDOLPH: Please be advised that the enclosed resolutions were presented to and adopted by the members of the West Virginia Bankers Association at their annual convention held in Charleston, W. Va., on Saturday, July 16, 1960.

Sincerely,

FRANK N. GANS,
Executive Manager.

REPORT OF RESOLUTIONS COMMITTEE

To the President and Members of the West Virginia Bankers Association:

The resolutions committee appointed by the president convened at a dinner meeting in Charleston on Friday, June 17, 1960, for the purpose of formulating resolutions for consideration and action by this, the 1960 annual meeting of the association.

Your committee accordingly hereby submits and unanimously recommends adoption of the following resolutions:

"First. *Be it resolved*, That this association favors the adoption of legislation by the Congress to repeal the Postal Savings Act (39 U.S. Code 751), together with all amendments thereto and regulations thereunder, in order to effect the closing of the Postal Savings System.

"Second. *Be it further resolved*, That this association does hereby reaffirm its strong approval and support of the principles and objectives of the Mason bill (H.R. 7950) now pending before the Ways and Means Committee in the House of Representatives of the United States, as a means of achieving a fair distribution of Federal income taxes as between commercial banks and savings and loan associations and mutual savings banks; that the previous support by the American Bankers Association of this bill be commended and approved; and that said association and others interested in the passage of such legislation be urged to continue to take positive and aggressive steps in order to secure favorable committee and congressional action thereon before the 1961 Congress.

"Third. *Be it further resolved*, That this association unanimously favors and recommends passage of proper legislation by the Congress to remove the arbitrary 1918 ceiling of 4¼-percent interest on Government bonds of 5 years or over, as heretofore recommended by the executive and Treasury departments of the Government, this association believing that such statutory limitation only complicates the problem of debt management, thereby placing the Treasury in the position of adopting undesirable financing practices.

"Fourth. *Be it further resolved*, That this association is strongly opposed to all attempts which would weaken the financial strength of our national economy through deficit financing.

"Tenth. *Be it further resolved*, That certified copies of resolutions 'First,' 'Second,' 'Third,' and 'Fourth' of this report, if adopted, shall be forwarded by the executive manager to each of the Senators and Congressmen from West Virginia, reflecting the position of this association with respect thereto and urging their active interest in and support of such legislation."

Respectfully submitted,

W. T. JUDY,
Chairman, Vice President and Trust
Officer, Kanawha Banking & Trust
Co., Charleston, W. Va.

JOHN D. HOBLITZELL, Jr.,
Executive Vice President, First National
Bank, Bluefield, W. Va.

JOHN J. NASH,
Executive Vice President, Half Dollar
Trust & Savings Bank, Wheeling,
W. Va.

G. W. RAIKE,
President, the National Bank of Logan,
Logan, W. Va.

AMERICAN BATTLE MONUMENTS COMMISSION

Mr. YOUNG of Ohio. Mr. President, it was recently my privilege to represent the Senate along with our distinguished

colleague the junior Senator from Iowa [Mr. MARTIN] on the official delegation of the American Battle Monuments Commission to dedicate six of the World War II American military cemeteries in Europe, one in Carthage, north Africa, and a monument in Brest, France.

The responsibility for constructing and maintaining our military cemeteries and memorials abroad, as well as certain monuments and military cemeteries in our own country, has since 1923 belonged to the American Battle Monuments Commission.

This Commission has done an outstanding job. The men and women who have served on the Commission through the years deserve the commendation and thanks of all Americans.

Mr. President, may I state the names of the members of the American Battle Monuments Commission: Gen. Jacob L. Devers, Chairman; Adm. Thomas C. Kincaid, Vice Chairman; Leslie L. Biffle, Gen. Alexander A. Vandegrift; Charles E. Potter; John Phillips; Mrs. Wendell L. Willkie; Gen. Carl Spaatz; Brig. Gen. Benjamin O. Davis; Forest A. Harness; and Maj. Gen. Thomas North, secretary. Gen. George C. Marshall was formerly Chairman of this Commission.

During the time I was with the delegation, it was not possible for me to visit all permanent overseas cemeteries wherein more than 124,000 valiant Americans, who gave their lives for their country and the cause of freedom in two tragic world wars, have found their final resting place.

However, at those cemeteries which the delegation visited, I was deeply moved by the tender care and attention given to them and the beauty and serenity which surrounds them. A white marble headstone marks each grave—a star of David for those of the Jewish faith, and a cross for all others. On the walls of the memorial in each are inscribed the names of the missing. A small nondenominational chapel forms part of each cemetery memorial.

In addition to attending dedication ceremonies in France and Italy, I was asked to deliver the address of dedication at the north Africa cemetery in Tunisia, located near the ruins of ancient Carthage, about 10 miles from the capital city, Tunis. Here rest 3,074 of our dead, and on the Wall of the Missing are engraved the names of 3,724 who gave their lives in the service of their country but whose remains were never recovered or identified.

It lies amidst beautiful surroundings, and all Americans have reason to be proud of the noble work of the American Battle Monuments Commission.

Mr. President, during the Second World War, I served for a time in the North African theater of operations. The brave Americans who fought and died there were engaged in one of the great military campaigns in history against a mighty army commanded by one whom many consider to be the outstanding German general of the last war, General Rommel.

Our victory was no easy triumph. To achieve it cost the lives of many thousands of gallant Americans. To these fallen heroes our Nation will forever owe a debt of gratitude.

Perhaps I can best express—though words will never fully do so—my feelings of humility and gratitude on that occasion by the brief remarks I made at that time. At the request of General Devers, I ask unanimous consent that these remarks be printed in the RECORD at the conclusion of my remarks today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. YOUNG of Ohio. Mr. President, on more than one occasion in recent years it has been requested of Postmaster General Arthur E. Summerfield and officials of the Post Office Department that a commemorative postage stamp be issued honoring the magnificent work of the American Battle Monuments Commission. These repeated requests have not been complied with.

In fact, they have been denied. I am unaware of the reasons for the refusal to comply. To me it seems that this would be a proper recognition of outstanding service of the distinguished members of the American Battle Monuments Commission. It is difficult for me to comprehend why Post Office Department officials, and why Postmaster General Arthur Summerfield, would deny and did deny these requests, while at the same time the Post Office Department has been issuing stamps commemorating everything from the petroleum industry to gardening and horticulture.

There is nothing improper—in fact, it is commendable—in the fact that many aspects of our national and international life are recognized by the Post Office Department.

Among those singled out in the past few years for a commemorative stamp issue have been gardening and horticulture, the Gunston Hall bicentennial, the Mackinac Bridge, the Fort Duquesne bicentennial, the silver centennial, air balloon Jupiter, the pan-American games, and the petroleum industry.

Mr. President, I think the petroleum industry has been taking very good care of itself without having a commemorative stamp issued for it by Postmaster General Summerfield.

There have been commemorative stamp issues for dental health, the Olympic winter games, Dr. Ephraim McDowell, Hermitage Coil, the Fifth World Forestry Congress, Virginia City Silver Centennial, and many others.

No doubt some were deserving of this recognition. Why others received such recognition can be seriously questioned. I do assert, Mr. President, that it is unfortunate that the Battle Monuments Commission, which is certainly more deserving than most of those I have mentioned, has not been granted this same distinction. For over 30 years it has worked without fanfare or publicity at the task of caring for the final resting

places of thousands of Americans who gave their lives for their country—the sons, husbands, fathers, and brothers of millions of Americans.

Mr. President, I believe it is time that Postmaster General Summerfield reconsider his past decisions. I feel the time is long overdue for greater national recognition of the outstanding men and women who are serving, and who have served through the years, in the work of the American Battle Monuments Commission.

A commemorative postage stamp will, in a small way, offer to them the thanks and appreciation of their Government and of the American people.

Mr. President, I yield the floor.

EXHIBIT 1

ADDRESS OF U.S. SENATOR STEPHEN M. YOUNG AT DEDICATION OF U.S. MILITARY CEMETERY, CARTHAGE, TUNISIA, JULY 21, 1960, UNDER AUSPICES OF AMERICAN BATTLE MONUMENTS COMMISSION

Today we attest deference and devotion and manifest our affection and love for those Americans who lost their lives in defense of their country and to preserve freedom for their fellow Americans.

Today we dedicate this burial ground.

This is the final resting place of 3,074 young men who came from far away America.

They responded to their country's call. They wanted nothing better than to complete their education and to follow peaceful pursuits.

On a day of infamy the Japanese launched a sneak attack against our Pacific fleet, and at Pearl Harbor 3,000 young Americans lost their lives, almost without warning or time for resistance.

Immediately, Hitler's Germany joined its ally and then the United States declared a state of war to exist between the United States and imperial Japan and Hitler's Germany.

The young men buried here are beloved sons of our free Nation. The love and gratitude of their countrymen will ever remain with them.

Here are 27 acres—a corner of Tunisia that will be forever American.

Hundreds of years from now, in far places people will speak of them reverently and recall that they and others turned back the tide of dictatorship aggression and restored to men and women the world over their simple dignity as creatures of the Almighty.

Those who are buried beneath this sacred soil, could they speak, would ask us the living to try to build from the remnants of the past conflict, the peace and the greatness they desired for their children and their children's children.

We wish fervently that thousands of American fathers and mothers were with us today as we dedicate this place of beauty in this new nation, Tunisia, which was forged in freedom and has taken its proud place in the community of nations of the free world. We dedicate this cemetery also to 3,724 Americans missing in their country's service whose names are engraved on the Wall of the Missing, and to 3,074 Americans buried here.

These honored dead and their comrades who lived to return, fought against the famed Afrika Corps of Adolf Hitler. Their offensive in north Africa was the forerunner of offensives in Sicily, Italy, France, and in the far Pacific. They formed a part of the greatest military, naval, and air forces ever gathered together under the bending sky of God.

They and millions of other Americans left their comfortable homes and loved ones in response to a grave national duty. They taught a lesson that dictators of aggressor nations should never forget.

Although it is to the dead that we dedicate this place of serene beauty, it is in the minds and hearts of the living that its lesson must be indelibly stamped. The living owe their legacy of freedom to those who paid the ultimate price in freedom's name.

We sometimes forget how much we owe to these young men who lie silently here and in other military cemeteries abroad and at home.

In reality, our debt to them commands us to guard vigorously and vigilantly the liberty and welfare of the nation for which they died.

To each generation it seems the lessons and responsibilities of freedom must be taught anew, if freedom is to endure. Those young men buried here learned the responsibilities of liberty before their time. It was they who paid with their lives for the lesson they learned. Many were carefree boys who became men overnight and kept their rendezvous with death.

It is for us, the living, to assure through our dedication and devotion to peace that succeeding generations will learn the lesson of liberty not on the battleground, but in the classrooms in the communities, in the homes and in their places of worship.

In memory of those who in their turn answered "here" to their nation's call and sacrificed their lives, let us have assurance that future generations will receive a new impulse of dedication to peace and good will and will guard with zeal the liberty for which these young men paid the supreme price.

We must hope and firmly believe that the supreme sacrifices these young men made will be understood, will be appreciated, will be remembered and will become part of the heritage and tradition of free people everywhere.

The mother heart of the world is beating for an end of all wars. There are but two choices for humanity: on the one hand, a continuation of the dark record of centuries of war; on the other hand, idealism with its possibilities of peace and happiness.

Thousands of the flower of the world's young manhood laid down their lives as the seal of the pledge to make an end to war. We must all strive to redeem that pledge.

Thrice obligated are we: To unborn generations, to the living, and to the high-souled youth who gave their lives to make the world safe for a better civilization.

It is more important than ever before that we keep vivid in our minds the tragedy of World War II, and the sacrifices made by the courageous young men buried here and elsewhere throughout the world, during the most devastating war in the history of the world.

Events of the past decade have drawn us at times perilously close to a third world war—dreadful beyond imagination to conceive.

This is a critical period in the destiny of free men everywhere. The free peoples of the world must be strengthened and defended. The United Nations must be fostered. Our relationships with our allies must be staunchly upheld. The hour is late.

Tyranny and oppression again stalk across the world. Violence has become an international philosophy. Tension grips mankind. We live in a grim period of international anarchy.

What the future holds, no person can predict. But let us hazard one guess: that democratic institutions—for which these

men fought and died—will outlast tyranny, aggression and oppression. Human yearning for freedom and dignity will endure long after repressive Communist ideologies have become but memories.

It may be that we have become complacent despite the death and destruction of World War II, which brought sorrow into practically every community in America.

Millions of our young men gave their best years, their happiness and hopes—those buried here gave their all—to the dream of freedom. There can be only one compensation for the priceless days, months and years gone forever. The only compensation for those who laid down their lives is the hope that the promise of democracy will endure.

The sacrifices of those buried here must not be in vain. The glowing hope which sustained them in combat should not be betrayed by those for whom they fought, or by any future generation of Americans.

Those buried here became men before their time. We honor them. They lived through days and nights when they thought the last vestige of sanity, decency and kindness had disappeared altogether from the face of the world. They witnessed the creation of manmade ruins far worse than Pompeii or ancient Carthage. Nature and time never equaled the destructiveness of man.

As we dedicate this cemetery today to the memory of these beloved Americans who rest here, we must rededicate ourselves to the proposition that the horrors of war must never again afflict mankind. Only thus can we repay, to some extent, those who repose here in eternal sleep.

WASHINGTON: A MODERN GUIDE TO THE NATION'S CAPITAL

Mr. CASE of New Jersey. Mr. President, I have recently been reading a worthwhile book entitled "Washington: A Modern Guide to the Nation's Capital," written by Michael Frome. His Washington is alive with the spirit of George Washington, who chose the site of the National Capital; of Abraham Lincoln, whose career is traced from his arrival as President-elect until his tragic assassination; of the present, when the Capital, as the author observes, "is in the midst of the most dramatic transformation since George Washington and Pierre Charles L'Enfant raised it out of a mud puddle," and even of the future, which is foreseen in exciting, changing dimensions.

With 6 million or more visitors yearly and a continual influx of new residents, this informative and entertaining companion is a welcome addition to the scene.

A RESOLUTION SUPPORTING A U.N. FOOD AND FIBER PROGRAM

Mr. FULBRIGHT obtained the floor.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may yield for the purpose of Senators making insertions and announcements without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Yesterday in his special message to the Congress the President of the United States made

specific reference to a legislative proposal that has been before this body many times. Here is the President's specific request for congressional action:

A proposal to be presented in September before the General Assembly of the United Nations, whereby we and other fortunate nations can, together, make greater use of our combined agricultural abundance to help feed the hungry of the world. The United Nations provides a multilateral forum admirably suited to initiate consideration of this effort.

I consider it important that Congress approve a resolution endorsing such a program before the United Nations Assembly convenes.

Sometimes I get a strange impression of moving in a sort of dreamlike atmosphere. The requests by the President and his admonitions to Congress seem to be made without reference to the long and varied legislative history of these proposals. As I stated in the Senate on June 22 of this year, I am delighted that the administration finally favors our proposal to establish an international food and raw material reserve under the auspices of the United Nations. Over a period of many years a number of Democratic Senators have felt that this was a worthy proposal.

Our dear colleague from Montana [Mr. MURRAY] introduced the world food bank proposal in the 83d Congress, and again in the 84th Congress. The senior Senator from Minnesota is proud to have been one of the cosponsors of Senate Resolution 86, which was submitted on March 30, 1955. The senior Senator from Minnesota is also proud to have been chairman of the subcommittee that held thorough hearings in May of 1956 on Senate Resolution 86, calling for the establishment of the United Nations food and fiber reserve, and a similar measure sponsored by our late and beloved colleague, Senator Kerr Scott, of North Carolina.

As a result of the hearings, the Committee on Foreign Relations designated me to report to the Senate, Senate Resolution 316, the committee resolution, stating it to be the policy of Congress that the United States should participate with other nations under the auspices of the United Nations in the Food and Agricultural Organization and other specialized international agencies in establishing an International Food and Raw Materials Reserve, under U.N. auspices, as I have said. I have before me a copy of the resolution that was reported, and I ask unanimous consent that the text of the resolution appear at this point in my remarks.

There being no objection, the resolution (S. Res. 316) was ordered to be printed in the RECORD, as follows:

Resolved, That it is the sense of the Senate that the President should explore with other nations the establishment of an International Food and Raw Materials Reserve under the auspices of the United Nations and related international organizations for the purpose of acquiring and storing in appropriate countries raw or processed farm products and other raw materials, exclusive of minerals, with a view to their use in—

(1) preventing extreme price fluctuations in the international market in these commodities;

(2) preventing famine and starvation;

(3) helping absorb temporary market surpluses of farm products and other raw materials (exclusive of minerals);

(4) economic and social development programs formulated in cooperation with other appropriate international agencies.

Participation by the United States in such an International Food and Raw Materials Reserve shall be contingent upon statutory authorization or treaty approval, as may be appropriate.

Mr. HUMPHREY. Due to strong opposition from the Republican minority, this proposal, approved by the Senate Committee on Foreign Relations, never came to the Senate floor for debate and vote. At the very time the United Nations Economic and Social Council was debating this question in Geneva, the U.S. representative at the Geneva meeting expressed the official opposition of the United States to the proposal which the President of the United States now—and the same President then—vigorously opposed.

However, to document fully the attitude of the U.S. Senate, I should add that the mutual security authorization bill of 1956, as passed by the Senate, included a request to the executive branch to take the initiative in negotiations for the establishment of a World Food Bank or an International Food and Raw Materials Reserve. I offered that amendment. It was adopted. The administration again expressed strong disapproval, and this section was deleted from the bill in conference at the instance of the President and the State Department.

I do not recite the history of this proposal in either partisanship or anger. It is, however, my desire that the record shall be clear. This is a worthy proposal, and I wish to commend the President for at long last, in the final days of his administration, supporting a proposal which some of us supported 5 years ago. This same proposal has been repeatedly made in the past. The U.S. Senate has acted in the affirmative, expressing its approval. I hope that the Senate will take action on it during this session as requested now, rather belatedly, by the President. I am in hearty support, and I welcome the support of the President of the United States of a proposal which has already once been passed by the Senate. I wish that the President would review other Democratic proposals made in the past 8 years and find it in his heart to support them as he has this one.

I send to the desk a resolution which will carry out the sentiments and the recommendation of the President. It is the same resolution as that which was previously submitted.

I ask unanimous consent that the resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 357) submitted by Mr. HUMPHREY, was referred to the

Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate that the President should explore with other nations the establishment of an International Food and Raw Materials Reserve under the auspices of the United Nations and related international organizations for the purpose of acquiring and storing in appropriate countries raw or processed farm products and other raw materials, exclusive of minerals, with a view to their use in—

(1) preventing extreme price fluctuations in the international market in these commodities;

(2) preventing famine and starvation;

(3) helping absorb temporary market surpluses of farm products and other raw materials (exclusive of minerals);

(4) economic and social development programs formulated in cooperation with other appropriate international agencies.

Participation by the United States in such an International Food and Raw Materials Reserve shall be contingent upon statutory authorization or treaty approval, as may be appropriate.

Mr. HUMPHREY. I thank the Senator from Arkansas for his kindness and consideration.

Mr. FULBRIGHT. On the subject on which the Senator from Minnesota has just spoken, I have prepared a statement and ask unanimous consent that it be inserted in the body of the RECORD at this point, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FULBRIGHT

Among the many catchall recommendations made by the President in his recent message to the Congress was one that brought back memories to me. The President stated that he would ask the Congress to endorse, before the U.N. Assembly convenes in September, a proposal to be presented "whereby we and other fortunate nations can, together, make greater use of our combined agricultural abundance to help feed the hungry of the world." He went on to say that "the United Nations provides a multilateral forum admirably suited to initiate consideration of this effort."

This idea is not new to the Committee on Foreign Relations nor to the Senate. The only thing new is the administration's embracing of it.

In 1956, the committee wrote into the Mutual Security Act of that year a section expressing the sense of the Congress "that the President should explore with other nations the establishment of an International Food and Raw Materials Reserve under the auspices of the United Nations and related international organizations for the purpose of acquiring and storing in appropriate countries raw or processed farm products and other raw materials, exclusive of minerals, with a view to their use in—

(1) preventing extreme price fluctuations in the international market in these commodities;

(2) preventing famine and starvation;

(3) helping absorb temporary market surpluses of farm products and other raw materials (exclusive of minerals);

(4) economic and social development programs formulated in cooperation with other appropriate international agencies.

This proposed new section was based on Senate Resolution 86, which had been introduced by our beloved senior Senator from Montana [Mr. MURRAY] for himself and 22

other Senators. Hearings were held on the resolution by a subcommittee headed by the able senior Senator from Minnesota. In support of the proposal appeared representatives of the National Farmers Union, the United Automobile Workers of America, the Americans for Democratic Action, the Cooperative League of the United States of America, the International League for Peace and Freedom, and the Committee for Economic Stability, as well as the principal sponsors. A representative from the American Smelting and Refining Co. favored the exclusion of minerals from the proposal, a suggestion which the committee adopted. Alone in total opposition to this idea were the representatives of the executive branch. The sum of their arguments were that sufficient legislative authority existed to deal with surplus agricultural commodities and that some aspects of the resolutions would restrict the President too much in dealing with this problem. I shall restrain myself and quote only one sentence from the State Department's witness (Mr. Kaljarvi): "The Department does not believe the existing surplus disposal programs of the United States would be made more effective or constructive in their results by introducing an element of multilateral administration."

I have already noted that despite the administration's opposition, the committee wrote the substance of Senate Resolution 86 into the Mutual Security Act of 1956. In its report, the committee said: "The committee's action was based on a strong sentiment that more imaginative and vigorous action was necessary to find ways of using agricultural surpluses. It was not satisfied that the administration had done its utmost to explore every possible avenue of making effective use of these commodities."

The Senate agreed to the language recommended by the committee. In conference, the administration continued its opposition to the idea of attempting an international approach to the problem of surplus agricultural commodities. Among other things, it argued then that it went counter to the administration's unalterable opposition to commodity agreements. Incidentally, the administration has since, at least partially, reversed itself on this point also and has taken part in the discussions relating to coffee problems. At any rate, in conference on the 1956 Mutual Security Act, the views of the House conferees and the executive branch prevailed and the idea was lost that the United States should at least explore the possibility of dealing with food surpluses through the United Nations.

This is another and very clear example of the administration reluctance to take imaginative action until a situation has grown to crisis proportions.

I now welcome the President's belated support. I only wish that it had been forthcoming in 1956 and we could have had 4 years head start on dealing better with our surplus commodities.

THE ANTARCTIC TREATY

The Senate resumed the consideration of Executive B (86th Cong., 2d sess.), the Antarctic Treaty, signed at Washington on December 1, 1959.

Mr. FULBRIGHT. Mr. President, before I present my own views on the Antarctic Treaty, Mr. President, I want to take this opportunity to applaud two notable speeches delivered before this body yesterday. The first of these was an excellent summary of the main issues by my esteemed colleague on the Foreign Relations Committee, the Sen-

ator from Montana [Mr. MANSFIELD]. The second was a remarkably lucid, perceptive, and dispassionate address by the junior Senator from Wyoming [Mr. McGEE]. I am frank to say that Members of this body who may still have questions about the merits of the Antarctic Treaty can do no better than to refer to the comprehensive statement made by the Senator from Wyoming, who served as a member of the U.S. delegation negotiating the treaty. I congratulate him on a very fine performance, and I would add that we are commencing to expect such performances from him as a normal occurrence.

Mr. President, I rise to explain and support Executive B, 86th Congress, 2d session, the Antarctic Treaty. This treaty, which was signed at Washington on December 1, 1959, and sent to the Senate on February 15, 1960, developed from an initiative launched by the United States in May of 1958. The treaty signatories are the United States, the U.S.S.R., all seven nations which have made official territorial claims to Antarctica, and three other countries which have been actively interested in the continent. These 12 nations are those which took part in the Antarctic program of the International Geophysical Year of 1957-58.

The overall purposes of the treaty may be summarized as follows: First, the treaty is designed to assure complete and cooperative access to Antarctica's scientific information, which has been described as the continent's single important export for many years to come.

Secondly, Antarctica is to be used exclusively for peaceful purposes: measures of a military nature, as well as nuclear explosions and disposal of radioactive waste, will be banned in the treaty area, that is, all territory below 60° South latitude. At the same time, this prohibition does not preclude the use of military personnel or equipment there in connection with scientific research, nor the use of atomic powerplants for heat and light.

In the third place, the complex and sensitive problem of territorial claims is to be stabilized through an agreement that the status quo will be preserved indefinitely without prejudice to any nation's claims, rights, or bases of claims—whether asserted or latent. In this regard, neither the United States nor the U.S.S.R. has made any territorial claims, nor do they recognize the claims of any other nation. This provision is intended to guard against the possibility of territorial disputes which could lead to the verge of armed conflict, as has happened in the past because of the overlapping national claims of three of our friends.

Finally, to insure the fulfillment of these objectives, there is provision for complete unilateral inspection rights, including that of aerial overflight, which is the basis of President Eisenhower's open skies proposal. Linked with this proviso are arrangements for continuous full exchanges of information about expeditions, base stations, and military per-

sonnel and equipment by the treaty members.

The treaty will be open for accession by any member of the United Nations; any other country could only accede with the consent of all the original 12 signatories and those additional nations which meanwhile also might have become consultative parties by conducting substantial scientific activity in Antarctica. The so-called consultative parties, as distinct from other contracting parties, would be charged with recommending measures in furtherance of the treaty through meetings at suitable intervals and places. However, it should be stressed that all rights established in the treaty may be exercised from the date of its entry into force.

The duration of the treaty is open-ended, that is, of indefinite duration; for a period of 30 years after its entry into force, it may only be modified or amended by unanimous consent of the consultative parties.

Two further points, dealing with enforcement, should be mentioned in this summary description of the treaty. One is that the contracting parties will take all measures consistent with the U.N. charter to insure that no one engages in activities in Antarctica contrary to the terms of the treaty. The other is that any disputes between two or more contracting parties would be resolved by means of their own choice, including optional use of the International Court of Justice. Thus, the treaty does not involve the question of compulsory jurisdiction by the court. Parenthetically, I might add that it also does not deal with the problems of international law regarding the high seas and territorial limits.

Mr. President, I shall not go into further detail at this time in explaining the articles of the Antarctic Treaty. Senators have ample printed information before them in the President's message and Secretary Herter's explanation accompanying the treaty itself, the record of the hearings before the Committee on Foreign Relations, and the committee report. All of these, I believe, cover the details adequately, and unless questions are asked, I see no reason to repeat the information.

The U.S. Government in 1958 initiated the conference which led to the signing of the treaty, believing that the inability of the seven claimants to resolve their disputes, as well as the new factor of the Soviet presence in Antarctica, threatened to jeopardize the continued receipt of vital scientific data from the continent after the close of the International Geophysical Year. Careful preparatory work and skillfully conducted negotiations were the hallmarks of U.S. participation in this venture. Mr. Herman Phleger, the head of the U.S. delegation at the Antarctic Conference, did a very fine job in representing our country. There should thus be no doubt in anyone's mind regarding the fact that the executive branch strongly believes in and urges approval of its achievement.

However, lest there be such doubt, I would like to quote the following testimony given the committee by Mr. Herman Phleger, who headed the U.S. delegation at the Antarctic Conference.

This treaty has been followed with the greatest interest by the President of the United States. The delegation had the most detailed position papers * * * agreed to by all of the Departments of Government of the United States, including the Department of Defense and Atomic Energy Commission. As each article of this treaty was negotiated, the changes and alterations proposed were communicated to all the Departments concerned and the treaty was not signed until after the consent and agreement of all the independent departments had been obtained.

Some opposition has been expressed on several grounds in regard to this treaty. As evidenced by the Foreign Relations Committee's approval of the treaty, we have not discovered much merit in the argument presented to date. However, they have been pressed with such passionate fervor that some might find them at least emotionally stirring, if not logically persuasive, unless the rebuttal of each point had been noted in the hearing record. Some consideration of these arguments therefore seems inescapable.

First, it is stated that the treaty invites the Soviet Union into Antarctica and gives it rights there which it does not now possess. The only trouble with this argument is that it does not happen to be true. As a result of its participation in the IGY, the Soviet Union since 1956 has maintained bases in Antarctica and shows no intention of abandoning the continent. The treaty merely recognizes the existence of reality on this score.

We have heard it intimated that the Soviets are not really interested in scientific research in Antarctica and therefore must have subversive intentions. It is a little difficult to understand why a nation with the scientific capability to launch the Lunik should not be genuinely interested in Antarctica's scientific potential. And there is just no evidence that the Soviet Union has undertaken any but legitimate scientific and exploratory activities in the continent over the past 4 years.

What are the rights that the treaty supposedly gives to the Soviet Union? Article IV states fully and explicitly that no contracting party shall obtain or relinquish any territorial rights because of the treaty and for the duration of the treaty. In fact, under this document, the Soviet Union and the other contracting parties largely incur obligations and restrictions upon their freedom to do as they might wish. In the absence of a treaty, there is nothing—short of the use of force—to prevent the U.S.S.R. behaving as it pleases in Antarctica. I have not heard even the most ardent opponents of the treaty suggest that a resort to force would be either desirable, feasible, or productive of the intended results.

It is argued that participation in the treaty gives international recognition and legitimacy to the Soviet presence in Antarctica. Beyond the fact that it is explicitly stated that the question of rights and claims is "frozen," it should

be noted that adherence to the treaty is open to all U.N. members. In addition, if one argues that international sanction is important to the U.S.S.R., one is also arguing against the view that the Soviet Union will scorn world opinion by breaking the treaty at will. The basic question here is whether the Soviet presence would become any less real or less potentially expansive and dangerous over a period of time in the absence of a treaty. The obvious answer seems to be "No."

The second main argument is centered on the question of our reserved right to make an official territorial claim in Antarctica. This right has been carefully and stringently protected over more than two decades even though we have not exercised it. It will continue unchanged under the terms of the Antarctic Treaty despite the charges of those who profess to believe that language, no matter how conclusive in form, will not protect our rights. The difficulty with this latter line of reasoning is that it leads progressively to the conclusions that international law is totally nonexistent, that treaties are worthless scraps of paper, that nations cannot make lasting agreements with each other, and that only the law of the jungle is applicable to the community of nations. I believe most Americans would vehemently reject such conclusions. I certainly reject them.

The primary argument on the claims question seems to be that the United States should reject the treaty which it initiated in favor of claiming the one portion of Antarctica not as yet officially spoken for. Unfortunately, this one-sixth of the continent between 90° and 150° west longitude is possibly its least accessible and least valuable portion. By claiming this one area we would recognize, implicitly or explicitly, the validity of the claims of others which rested on the same bases of discovery and exploration. Also, we would place in jeopardy our reserved rights of free access to all Antarctica. Finally, this course of action probably would stimulate the Soviet Union, and perhaps others, to make similar moves. No one has yet made it clear just what advantage would be gained from such a step, especially since there seems to be a tacit agreement among the seven actual claimants that the United States has the best title to that particular slice of the Antarctic pie.

A secondary argument on the claims problem takes the form of a plea for delaying the consideration of the treaty while the United States invites the other official claimants to a conference at which they and we would present and discuss complete lists of all the claims ever made. In the first place, the United States has tried and failed to get the seven claimants to agree among themselves, much less with us, on the basis of an entirely new presentation. Second, those countries would scarcely welcome an attempt to reduce in our favor the areas to which they believe their titles are perfectly sound. In the third place, just the question of what constitutes a valid claim could give rise to a discussion covering a period of

years—which may be what the advocates of this proposal contemplate. Finally, in the wholly unlikely event that the many intricate claims problems could ever be solved in this manner, the solution would be rejected by the U.S.S.R., which presumably would still be in the area and free of restraints.

In the last analysis, since we cannot waste time regretting what might have been, the way in which the treaty deals with the claims question is the only feasible alternative, and one which is in this Nation's best interests.

These arguments about claims seem to rest on certain assumptions about the value of proclaiming national sovereignty over a portion of Antarctica. But it is difficult to obtain clear statements on this score. Since the treaty is primarily designed to bring the positive benefits of maintaining full access to the continent for scientific purposes and of precluding disputes and armed conflicts, presumably these benefits are not the values at stake. As for the potential economic worth of Antarctica, the committee hearing record makes it clear that this at best is purely a matter for speculation. In any case, the treaty has no direct bearing on this question.

The case for the value of a territorial claim at this time surely does not rest on military advantages. For, in the absence of a treaty, the U.S.S.R. as matters stand today could make just as much use of such advantages. If we could launch missiles, so could the Soviets. If we could create submarine bases, so could the Soviets.

There are other, even less weighty, arguments being made in opposition to the treaty. I think some of them derive from an inability to retain perspective concerning the physical character of Antarctica. That continent, the most desolate place on earth, is covered with an ice cap having an average thickness of over 1 mile and a maximum known depth of 14,000 feet. So great is the weight of ice that the land apparently has been forced below sea level in many places. On the surface of this frozen continent winds can blow with 200 miles an hour force, and the average winter temperature at the geographic South Pole is below minus 70° Fahrenheit. Surrounding Antarctica are the stormiest seas in the world. Only highly experienced and well-equipped expeditions can succeed in efforts to pry loose from this land the scientific information which is its most valuable commodity.

No one claims that the Antarctic Treaty is a perfect document that will automatically cover every small contingency to be conceived by the fertile brain of man. If 12 countries are to join in any agreement, there has to be some flexibility on the part of each. The demand for perfection is conducive to paralysis, not to peace.

Mr. President, I believe that the Antarctic Treaty is a sound approach to noble objectives, which could have profound implications for the search for peace in the space age. If, for any reason, the treaty should prove unworkable

in the future, the status of Antarctica would revert to the conditions which now prevail. The United States does not relinquish any of its rights under the treaty; this country and the entire free world have almost nothing to lose and much to gain from this undertaking. As one of my colleagues on the other side of the aisle remarked, if we cannot reach an agreement with the Soviet Union in this instance where our basic interests seem to coincide, then there is virtually no hope for an agreement on any of the complex problems which divide us now and increasingly will confront us in the future.

I urge the Senate to approve the treaty.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I wish to ask a clarifying question. Is it not true that at present there is no conflict of territorial claims between the United States and Russia in Antarctica?

Mr. FULBRIGHT. That is quite correct. Both countries have followed the policy of not asserting any sovereign claims in Antarctica. In this respect, their interests are identical. So there is no conflict at the present time.

Mr. AIKEN. With the adoption of this treaty by all interested countries, is it not correct that there is no possibility of a conflict in the future between the United States and Russia over territorial claims?

Mr. FULBRIGHT. I should not think there would be such a conflict. There are seven countries which have asserted territorial claims, not including the United States and Russia, which have not done so. So I see no possibility of any conflict over territorial claims.

Mr. AIKEN. I believe the Senator is correct. The third question, and I think the important one, is this: If we fail to approve this treaty, then is not the way open for a conflict over territorial claims in the future, which might lead to an armed conflict or to the necessity for establishing armed outposts in that area, which we all know would be extremely costly and probably ineffective?

Mr. FULBRIGHT. I think the Senator from Vermont is quite correct. As a matter of fact, there has already been a minor armed conflict in that region between the United Kingdom and Argentina over their respective claims. So this possibility is brewing already. I am confident that if we abandon the policy which we have had, and which the treaty follows, and start to assert sovereignty, certainly the Soviet Union would rush in and say she has rights. Then there would be a general free-for-all.

Mr. AIKEN. The failure to approve the treaty would almost certainly result in altercations in the future, would it not?

Mr. FULBRIGHT. I should think so; yes.

Mr. AIKEN. I thank the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I wish to say that I have heard rumors to

the effect that considerable opposition to the treaty—more than I had anticipated—has developed. But I deeply regret that during the discussion of the treaty today, I find in the Chamber only 8 or 10 Senators, who seemingly are in favor of the treaty, or at least understand it. But the Members of the Senate who oppose the treaty are, apparently, not interested in discussing it.

I think the treaty sets a pattern which may be of extreme importance. I refer particularly to the provision in regard to inspection. I shall not now refer to all the provisions of the treaty, because this matter was covered fairly well yesterday. But the provision in regard to inspection could constitute a most important precedent for the future, if the treaty is ratified and if its provisions are carried out in good faith, as I expect them to be. Under those circumstances, the countries would become accustomed to having their scientific installations and their ships inspected by other countries, and they would find that this provision, which is only a first step in the direction of international agreement, is helpful, not harmful.

I do not wish to overemphasize the importance of this matter, because we are dealing with an area which is covered by ice and snow; as the experts have said, it is important only for scientific exploration. Nevertheless, it is the only area in the world to which these principles in regard to inspection could be applied at this time, in view of the present turbulent state of the world.

So I believe it would be a great mistake if this treaty—which our country itself initiated, and which is in accord with the principles of the so-called Hughes doctrine, initiated back in 1924—were not ratified. I believe it would be a great tragedy if, in our casual procedure and our preoccupation with the election and other things, this treaty were permitted to fail. I believe that would be an act of the gravest irresponsibility. Certainly it would be an act of irresponsibility, because obviously many Members of the Senate are not present in the Chamber to discuss and to understand the various provisions of the treaty.

Mr. CARLSON. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. CARLSON. I wish to commend the chairman of the Foreign Relations Committee for the very excellent statement he has made and for his analysis of some of the problems which have arisen in connection with the treaty.

I emphasize his statement that the treaty was originated by the United States. For the record, I wish to quote, from the hearings, what Mr. Phleger said on this point:

In conclusion, I point out that this treaty was conceived by the United States, the conference which drafted it was called at the instance of the United States, and the treaty contains all the provisions which the United States believed were required for the protection of its national interest. It is also a significant step forward in the field of international cooperation for peaceful purposes.

When we are dealing with this matter, I believe it is important for us to realize that our country did originate the treaty, and did conceive it, and has carried it through.

As I understand, all the points about which we were concerned are included in the treaty.

Mr. FULBRIGHT. That is quite correct. Nothing was forced on us against our will. Generally speaking, the treaty, which we initiated, has been the subject of exceptional cooperation by all the nations which have signed it.

As I have said, Mr. Phleger—whom I knew long before he was in the Government service—is one of the ablest lawyers in the United States. I believe he did an outstanding job in negotiating the treaty. Certainly he did an outstanding job as a witness. He knew what he was talking about. I do not see how anyone can question the logic or consistency or power of his arguments. I have the greatest confidence in him, because of my long knowledge of his abilities.

Mr. CARLSON. Mr. President, will the Senator from Arkansas yield further?

Mr. FULBRIGHT. I yield.

Mr. CARLSON. I wish to state that I share the views of the chairman of the Foreign Relations Committee about the abilities of Mr. Phleger. It was my privilege to serve as one of the observers for the U.S. Senate in connection with the writing of the treaty. I served in that capacity together with the distinguished Senator from Wyoming [Mr. McGEE]. We were advised daily of the progress being made; and I believe we were most fortunate as regards the team which represented our country in connection with the preparation of the treaty.

Later, I expect to speak briefly in support of the treaty; but at this time I wish the chairman of the Foreign Relations Committee to know that I believe he has done an excellent job in presenting the treaty to the Senate.

Mr. FULBRIGHT. I thank the Senator from Kansas.

Mr. President, just one other comment, and I shall be through: Prior to the hearing, there were whispers to the effect that certain members of the Armed Forces, particularly of the Navy, do not favor the treaty. In that connection, we made inquiry, individually, and we had Rear Admiral Tyree before the committee. I specifically asked him, "Is it true that the Navy is not in favor of this treaty?"

He replied, "No. We think it is in the national interest."

Rear Admiral Tyree is a naval officer, of course; and he was at the hearing to speak for the Department of Defense. He was not equivocal in any respect in his statements about the attitude of the Defense Department. However, I understand that it is still being bruited about that the Navy was whipped into line by the President or by the Secretary of State. But I do not think such unfounded rumors are worthy of our

consideration. We cannot possibly allow our judgment to be influenced by such rumors in regard to the position of unofficial persons who are not available as witnesses.

It may be true that all naval officers have visions of having a naval base on every possible promontory all over the world; perhaps they think it would be nice to have many bases where officers' clubs could be located. But certainly it is very dangerous for us to be influenced by unfounded rumors to the effect that some naval officers do not favor the treaty.

In the committee we did everything we could do to obtain the full story, insofar as the position of the administration is concerned; and it is set forth in the hearings.

Rear Admiral Tyree did not testify with reservations. He testified that he is for the treaty, in the national interest, from the national security point of view. Of course, it is not for him to say whether the treaty is politically wise.

Mr. BUSH. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. BUSH. I have received from residents of my State a number of communications about the treaty. I am delighted with the presentation the chairman of the Foreign Relations Committee has made in the Senate today. I believe he has made an excellent case for the treaty. In my opinion, he has completely covered the subject; and he has eliminated from my mind any doubt whatever as to whether the treaty should be approved.

I was interested in his comment about Herman Phleger, who initiated the treaty. It should be pointed out for the record that Herman Phleger is not a newcomer to the Government service. He served for 4 years in the State Department during the time when John Foster Dulles was Secretary of State. Thereafter, Mr. Phleger returned to his home in San Francisco, where he resumed the private practice of law. So able a man is he, and so much did he impress both the President and the State Department, that Mr. Phleger was summoned to do this particular job.

So, as the chairman of the Foreign Relations Committee has pointed out, the treaty has been in excellent hands. Because of my great respect for Herman Phleger, I wish to add this word in regard to the important service he has rendered the country.

Mr. FULBRIGHT. I thank the Senator from Connecticut. I have known Mr. Phleger since 1934 or 1935. I knew him when he was in private practice, and I know he is a very outstanding member of the bar. In addition, he has performed most important Government service.

Mr. THURMOND. Mr. President, I rise in opposition to ratification of the Antarctic Treaty.

The inadvisability of this treaty has already been pointed out and discussed in some detail. The United States has broader and more solid foundations for

the basis of claims to sovereignty in Antarctica than has any other nation. For some unknown reason, these claims have never been asserted by our Government. It is now proposed that we commit ourselves for a period of 30 years not to advance these claims in exchange for similar commitments from other nations, many of whom, particularly the Russians, have no basis for claims in Antarctica in the first place.

We, of all people, have access to the most detailed information on this area at the bottom of the world. In the light of this information, it cannot be denied that this area has great potential economic and military value to the people of the United States. This treaty would, in effect, surrender a valuable possession which belongs to all of our people; and from a study of the history of the explorations and various bases of claims in Antarctica, it is obvious that we would receive little, if any, consideration for our surrender of rights.

Mr. President, there are many aspects of this proposed treaty which weigh against its ratification by this body. One of the most important of these aspects is the composition of the parties to the treaty. There are 12 signatories to this proposed treaty. Of the 12, 7 have made claims of sovereignty in Antarctica. These are Great Britain, France, Australia, Norway, Argentina, Chile, and New Zealand. It can be clearly understood why these nations would necessarily have to be parties to any treaty which encompassed the entirety of the Antarctic Continent. Many of their claims overlap. This leaves five nations among the signatories who have made no claims in Antarctica. The remaining five who are signatories of the proposed treaty are the United States, Belgium, Japan, Union of South Africa, and the Union of Soviet Socialist Republics. The United States issued invitations to the 11 other participating countries on the basis that these nations participated in the antarctic program of the International Geophysical Year. This is indeed a strange and illogical way to determine the participants in such a treaty. Japan, for instance, renounced all of her claims for sovereignty in Antarctica at the end of World War II.

The key to the composition of the signatories lies, in my opinion, in the inclusion of the Union of Soviet Socialist Republics. Prior to the International Geophysical Year, the Soviet Union had no basis for any claim to sovereignty on the Antarctic Continent itself. This should be very obvious from the fact that Russia has made no formal claim, despite the fact that its Government is the most aggressively expansionist of any nation of the world. On the basis of exploration and discovery—and since colonization of the Antarctic has so far proved infeasible, explorations and discovery are the only bases for claims of sovereignty—the Russians have nothing to stand on. The expedition of Bellingshausen, the only Russian expedition prior to the International Geophysical Year, had to do with some minor islands

removed from the Antarctic Continent. That expedition is described in the *Encyclopedia Americana* as follows:

A Russian expedition, second in importance only to that of Cook, was sent out in 1819 under the command of Fabian von Bellingshausen in the *Vostok*, with M. P. Lazareff in the *Mirny* in company, both sloops of about 500 tons. The object was to circumnavigate the antarctic area, keeping as far south as possible in those longitudes where Cook had made his northward detours. Bellingshausen crossed the Antarctic Circle in 30° W. on January 26 and by February 1 had reached 69°25' in 1°11' W. He then turned northward and continued to the east, getting south again as the ice permitted and reaching 69°6' S., 18° E. Soon after the sloops were forced north by a succession of heavy gales but continued eastward south of 65° S. and crossed the circle once more in 41° E. A violent storm drove the ships northward, but they still held to the east south of 60° S. as far as 87° E. Bellingshausen next visited Sydney, Australia; leaving early in November, he reached the 60th parallel a month later in longitude 143° W., and sailing eastward kept south of that parallel through 145° of longitude during 65 days, keeping close along the pack edge south of New Zealand. He crossed the circle three more times, in 164°30' W. in 120° W., and in 92°10' W., where he reached 69°52' S. On January 22, 1821, Bellingshausen sighted the first land ever seen within the circle, the little island named for Peter I.

A week later another and larger island, named for Alexander I, was seen. Bellingshausen then made for the south Shetlands and thence returned to Russia.

Obviously, this gives the Russians no basis for claims in Antarctica.

The question naturally arises as to why the Union of Soviet Socialist Republics was invited as a party to a proposed treaty for Antarctica. A careful study of the surrounding circumstances seems to indicate that our State Department was confronted with a difficult situation and is seeking the easy way out. Russia, during the International Geophysical Year, established some operations on the Antarctic Continent that still remain. We decline the straightforward approach which would be to formally assert our own claims of sovereignty, and then seek to work out with the other seven claiming nations the disputes over sovereignty in Antarctica to the exclusion of the Communist bloc. Instead, this treaty was apparently devised to postpone any realistic approach to the questions which had arisen on the Antarctic Continent, including that created by continuation of Russian activities there since the end of the International Geophysical Year.

Unquestionably, continuing and increasing Russian activities on the Antarctic Continent in territories to which sovereignty is claimed by free world countries could be embarrassing to the United States were we unwilling to stand in a position of leadership for the settlement of the territorial disputes between the free world nations, and then to defend those territories against any encroachment by members of the Communist bloc.

We have assumed—nominally, at least—the position of leadership of the free world against Communist aggres-

sion. In exercising this leadership we have correctly and accurately blamed our reversals on the bad faith and completely selfish attitude of the Communist leaders. The questions of sovereignty in the Antarctic, at least prior to the International Geophysical Year, did not in any way concern the Communist nations, however, and our leadership was notably lacking in settling the conflicting territorial claims among our own allies. Our attitude could best be described as "timid." The claims of the United States on the Antarctic Continent, whether measured by discovery, extent of exploration, or continuous effort, are at least equal, if not superior, to any claims asserted by any nation in Antarctica. Administration after administration has shirked the assertion of these claims. There is no sound and logical explanation for our failure to claim what is rightfully ours from either the standpoint of reason or of international law. I suspect that the prime motive for our dilatory attitude has been a false sense of pride; for, particularly in recent years, we have shown a great reluctance to subject ourselves to criticism for "imperialistic ambitions," regardless of the source of criticism or its lack of justification. We have bent over backward too long to appreciate the value of an upright position.

If there is one outstanding weakness of the foreign policy of the United States in recent years, it is our reluctance to officially demand and defend our rights and sovereignty from any and all encroachments, from whatever source they originate. We cannot prevent war or even disputes by an attitude which is not simply conciliatory, but is tainted with lack of resolution and which gives the appearance of weakness. Is it not reasonable to assume that if we continue to seek the easy way out and to relinquish rightful claims in the interest of harmony, our allies will rightly conclude that if we are unwilling to staunchly defend against all comers our own rights and prerogatives, we are most unlikely to vigorously oppose an encroachment on their national interest? I do not by any means advocate a course of belligerency, but it is time we as a nation understood that our overzealous efforts to avoid belligerency can be interpreted by our allies as weakness and even appeasement. We first gained stature as an independent and mature nation when we defended our right to use the high seas unmolested; and under the slogan, "Millions for defense, but not 1 cent for tribute," we boldly undertook the destruction of the Barbary pirates, a task from which stronger, but more timid, nations had shrunk. Surely we cannot maintain the respect of the international community unless they recognize in our policies and actions a moral resolve which is not tainted with appeasement.

Had we as a nation shown the fortitude to assert our rightful claims to sovereignty in the Antarctic as they arose, I seriously doubt whether all of the disputes on territorial claims among free world nations would now exist.

From even a superficial study of the claims in the Antarctic, it is obvious the nations of the world recognize that the United States does have the basis for claims in Antarctica. This is evident by the fact that the territory remaining unclaimed is that in which the United States has almost exclusive priority of right to claim. In effect, there is a *de facto* recognition of U.S. sovereignty in parts of Antarctica, despite the fact that we as a nation have never seen fit to officially claim and pronounce the sovereignty. Is there any wonder, in view of this head-in-the-sand approach, that we have been completely unsuccessful in supplying the leadership to settle the disputes of territorial claims among our friends and allies? We have, indeed, done the other claiming nations an injustice and disservice by our unrealistic attitude. There is actually little incentive for other claiming nations to attempt to settle among themselves their territorial disputes so long as we leave them in the dark as to the extent of the territory to which we believe ourselves entitled to sovereignty by virtue of our efforts in the Antarctic. Even were the seven claiming nations to settle the boundaries among themselves, what assurance have they—knowing, as they do, the preeminence of the bases for claims available to the United States—that the United States will not immediately thereafter take advantage of any relinquishment one or more might have made and claim extensive territories to their disadvantage? It would appear quite obvious that no realistic and complete settlement of the territorial claims in Antarctica can be concluded until each and every nation with the basis for such claims defines precisely and asserts the extent of the claims to which the nations believe themselves entitled. Once such claims are known to all, it is quite possible that a settlement could be reached, either through multilateral negotiations or arbitration.

It is paradoxical, but obvious, that because of our timidity, we have not only failed to provide the leadership for the settlement of territorial claims in Antarctica to the exclusion of Communist countries—which in fact that no basis for such claims—but, indeed, by our failure to define and assert our rightful claims, we have effectually prevented any such settlement. It is still possible, even at this late date, for the United States to rectify the situation by pursuing the only straightforward course that is open to us. We should immediately assert our sovereignty to such areas of Antarctica as our discoveries and explorations entitle us. At the same time, we should invite those nations which have claims, or the bases for claims, of sovereignty on the Antarctic Continent to negotiate a settlement of the dispute as to territorial boundaries. Undoubtedly, if we made a realistic appraisal of the bases for claims for U.S. sovereignty, those claims would conflict with others now existing. It is also likely that in some, and perhaps many, instances, if

such claims were impartially adjudicated, our claim would prevail; and enlightened self-interest might then well dictate that we relinquish portions to which we were rightfully entitled in the interest of a final settlement on the entire continent. This would constitute leadership—in contrast to our past and present policies toward Antarctica.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the distinguished and able Senator from California.

Mr. ENGLE. What the Senator is saying is that there is an alternative to ratification of the treaty. The alternative is an assertion of rights, with an adjustment among the various claimants as to their proper claims in the Antarctic. In other words, we are not faced with the simple proposition of whether we ought to ratify the treaty. We should examine the other alternative which is available.

As I understand the distinguished Senator, he says that one of the alternatives which is available is the assertion of American claims, the adjustment of those claims where they conflict with other nations, and then perhaps some broader settlement with reference to the entire continent of Antarctica, and that that action would constitute not only a protection of American rights which have been established by exploration, discovery, and occupation in the Antarctic, but, in addition, would lay the basis for some kind of firm agreement in the Antarctic itself and for the disposition of the problems of the whole continent.

I compliment the Senator for calling attention to the fact that we do not have to take this treaty. We ought to examine the other alternatives, and one of the other alternatives is trying to have our claims established and settled. Once we do that, as to the 20 percent area which is unclaimed at the present time, perhaps we can get some settlement of that also by a give-and-take arrangement of some kind or other.

Mr. THURMOND. The Senator is precisely correct, and his keen insight in this subject and broad knowledge of it has enabled him to put his finger right on the point.

It should be clearly understood that although the proposed treaty has been signed, it is not a binding document, and our country will in no way be bound by its terms until Senate ratification is accomplished. There is no moral or other obligation of the Senate to give its stamp of approval to Executive proposals for compacts with foreign countries.

By virtue of clause 2, section 2 of article II of the Constitution, the Senate of the United States is an integral part of the treaty-making process. Indeed, in the Constitutional Convention of 1787, in Philadelphia, a committee's report would have given the Senate the full power to make treaties. It was probably as a compromise that the Executive was made a part of the treaty-making process.

In earlier years, the Senate, in the exercise of its advice and consent powers,

participated to a very extensive degree in the treaty-making process. For instance, in 1846, during the controversy with Great Britain over the northwest border of the United States, President Polk upon receipt of a proposal by Great Britain, submitted it to the Senate for its advice prior to answering the proposal.

In contemporaneous practice, the Senate has to a major extent apparently become a rubber stamp for previously conceived, approved, or agreed to treaties by the executive branch. Some of the treaties submitted to the Senate for ratification are so worded as to demonstrate an attitude on the part of the State Department's personnel of complete disdain for the Senate's part in the treaty-making process. Even in the Senate itself, I perceive the existence of a disinclination to interfere in or upset the decision of our Executive in foreign policy determinations, which obviously are reached by the entrenched foreign-minded personnel of the State Department. It almost seems that there prevails a feeling that the Senate will be letting our Government down if it fails to ratify whatever actions, however ill advised, that are taken by the Executive with regard to treaties.

The Senate should be made aware, as was Great Britain with regard to the Alabama claims in 1869, that the rejection of a treaty by the Senate "can be the subject of no complaint and can give no occasions for dissatisfaction or criticism"; or in the words of Secretary of State Madison, spoken in 1804 to the Government of Spain, in referring to the rejection by the Senate of a proposed treaty with that government "when peculiarities of this sort in the structure of a government are sufficiently known to other governments, they have no right to take exception in the inevitable effect of it."

What we made known to other nations of the world in the earlier days of our Republic we need to follow ourselves now. There is, and can be, no treaty by the U.S. Government unless and until the Senate of the United States gives its advice and consent thereto; and until such advice and consent is given, there is no obligation of any kind or nature whatsoever on the Government of the United States by virtue of treaty negotiations which precede such advice and consent.

In pondering the events which led to the signing of this proposed treaty, there recurs in my mind a sense of astonishment that some of these nations—excluding Russia, of course—concurred in this proposal even reluctantly—and I cannot escape the conclusion that their acquiescence was reluctant. Several of the signatories long ago asserted claims to sovereignty in well-defined areas, and over the years have assiduously persisted in those claims. Although this proposed treaty does not profess to nullify such claims of sovereignty, it does profess to suspend such claims for what can only be presumed to be an indefinite period, which, in reality, amounts to the same

thing. The terms of the proposed treaty, therefore, are contrary to all previous actions of the signatories with regard to the territories they claim in Antarctica. What is responsible for this apparent reversal of attitude? In this instance, we must accept responsibility; but the term "leadership" would be of most dubious application. I have previously mentioned that we have in no small way contributed to the continued unsettled state of the claims of sovereignty by our friends in Antarctica by virtue of our neglect to officially appraise them of the extent of our own claims. We can only conclude that the preeminence of our own rights in Antarctica was no small factor in instigating their acquiescence in the terms of this proposed treaty. With our assumption of leadership of the free world, we have allowed, if not encouraged, our allies to accept dependency on the military strength of the United States in the free world's controversy with communism. In dealing with the Communists, in Antarctica as elsewhere, free nations certainly cannot ignore their reliance on the military strength of the United States as a cornerstone in any effort to achieve a resolution of a conflict with Russia in Antarctica as elsewhere. There is no evidence that we offered assurances to our allies that we would defend their claims of sovereignty, which we have not recognized, any more than we would defend our own, which we have not even asserted. In view of these circumstances, it would appear that the other free nations which are signatories of this proposed treaty had little choice of any other alternative than acquiescence in our proposal. Were the position of us and one of the other free nations reversed, would we not be justified in saying: "If this be leadership, let us have no more of it"?

In urging that we should assert our own claims of sovereignty in Antarctica and then seek to settle all claims of sovereignty in Antarctica to the exclusion of Communist nations, I do not overlook the fact that the Russians are conducting certain activities in Antarctica at this moment. I am aware, however—and we as a country should act accordingly—that Russian activities in Antarctica are not conducted under any color of title or claim of right and they could be expelled, if necessary, by those having rightful claims in Antarctica, by force, if necessary. As a matter of fact, there can be little doubt that Russia, because of the geographical location of Antarctica, would have no other alternative than to peacefully accede to the demand of the western nations having a legitimate interest in Antarctica, should such demands be made. Some might fear such a direct action as provocative of a nuclear war. Such fears are illogical and groundless, for we all know, or should know at this late hour, that Russia will commence an all-out war not in response to any action by the free world, but only at such time of the Communist leaders' own choosing when they conclude that their superiority is sufficient to make the risk worthwhile. Such is the nature of

Communist reasoning and actions. When the Communists are ready to commence a nuclear exchange, they will initiate their own incident in the unlikely event they decide one desirable.

Our misguided foreign policy has devised this treaty in an effort to find an easy way out. It is a continuation of our timid approach. If this treaty is ratified, the United States will have succeeded in proving the oft-quoted expression: "There's none so blind as they that won't see." Far from an easy way out, this proposed treaty, if ratified, will only multiply our difficulties. It proposes a loose, poorly defined, and uncertain joint control of Antarctica by the signatories. Already bitten once by this same animal, we now proffer the other leg.

The agreement for the administration of the city of Berlin was just such a loose and ill-defined agreement. Specifics were not covered in that document, just as they are not covered in the proposed treaty. How often have we heard lamented the oversight of not including in the four-power agreement on Berlin a written agreement, rather than an implied one, for a surface route of transit to the western zone of occupation? Should this treaty be ratified, how often in the future will we lament our failure to specify a definite procedure for the development and utilization of natural resources from the Antarctic Continent?

This proposed treaty is a completely unrealistic document. Those problems on which agreement could obviously not be reached—especially with Russia in the picture—have been left undecided. Each nation is left to place its own interpretation on this document, and it is provided that if any dispute arises, the countries involved in the dispute shall confer with a view to having the dispute resolved by some peaceful means "of their own choice." If ever there were an agreement to an invitation to disagree, article XI of the proposed treaty is that invitation. The very terms of this treaty contain more causes for potential controversy than have ever existed, or in the absence of this treaty, can reasonably be expected to exist, in Antarctica.

Each signatory, by ratification of this treaty, would commit itself to limit its activities in Antarctica to those which each shall, in its own judgment, consider peaceful. Each of the nations would, under the terms of this treaty, have the right of unilateral inspection to insure that its interpretation of the treaty was being adhered to.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. THURMOND. I am happy to yield to the Senator from California.

Mr. ENGLE. The Senator has raised a very significant point. Under the provisions of the proposed treaty, the Soviet Union could undertake such actions in Antarctica as she saw fit and interpret them as peaceful, even though they might have military significance. Is that not correct?

Mr. THURMOND. The Senator is eminently correct. The treaty provides

that each signatory, by ratifying the treaty, would commit itself to limited activities in Antarctica, namely, to activities which in its own judgment it considered peaceful. If Russia considered any activity in Antarctica to be a peaceful activity, in its own judgment, Russia could pursue such activity.

Mr. ENGLE. Let us assume that Russia decided that Antarctica was a good launching place for a satellite, a satellite used for reconnaissance purposes. The Soviets would say, "This is a very kindly, peaceful satellite. It has no military applications." Of course we would know that it did have military applications, and we would then protest. We would say, "You are not entitled to do that."

The Soviets would say, "We are entitled to do it, because this action is, in fact, peaceful."

Then there would be a dispute. How do we resolve the dispute? The Senator has stated in his statement how the dispute would be resolved. I shall read the provision of the treaty:

1. If any dispute arises between two or more of the contracting parties concerning the interpretation or application of the present treaty, those contracting parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.

So we would be sitting down with the Soviets, and we would be arguing with them, just as we were arguing with them in Korea for months, and as we are still arguing with them in Geneva, as to whether or not what they were doing down there was actually peaceful. We would say it was not. They would say it was. We would talk about it for months.

That is not all. I said yesterday:

Each of the 12 states would have an equal voice, and measures to facilitate the carrying out of the treaty would require unanimity among them. This means that the Soviet Union could veto measures agreed upon by all the other signatories.

We are in there with several of these nations, all of whom are our friends, with the exception of the Soviet Union. Yet the Soviet Union, under the terms of the treaty, would have the power to veto the unanimous action of all the 11 other nations. They would have the power to turn down the action of the other powers, to stop it; and when they got into a dispute over it, then, under the article which I have just read, they would be entitled to sit down and argue about what peaceful means for the settlement of that dispute would be used.

So it appears that what we are doing now is creating another little Security Council. We have already had the exhibition of the Soviets in the Security Council using the veto.

We would be putting them in a place where they have not a vestige of right, where they have no claim whatever—they have not established an iota of basis for a claim in Antarctica—and we would give them the power of the veto.

We would say to them that if they want to adopt some action in Antarctica, they will decide whether or not that action is peaceful.

To go on with the very important point that the Senator is making, this is what article XII provides:

1. (a) The present treaty may be modified or amended at any time by unanimous agreement of the contracting parties whose representatives are entitled to participate in the meetings provided for under article IX.

In other words, not only will we give them the right to sit in on a program where they have no business at all; we will give them the right to determine whether their actions are peaceful actions in those areas; and if there is a dispute, to determine the method by which the dispute will be settled.

Beyond that, we say that the provisions of the treaty cannot be modified or amended except by unanimous action. That means, of course, that the Soviet Union can veto any modification or amendment, just as they can veto any action taken and agreed to unanimously by all the other 11 states for the purpose of facilitating the carrying out of the treaty according to its terms.

So the Senator from South Carolina has put his finger upon a very important point: That is, that we have invited the lion right into the kitchen again. We have him present in the Security Council. We know what he is doing. We know what he will do again if he gets the chance.

We are now asked to approve a treaty which gives the Soviet Union another veto, such as it has in the Security Council, in addition to being able to undertake and initiate actions and then pass judgment themselves, without any appeal to any source as to whether or not those actions are, in fact, peaceful actions. So this is a vital element which, in my opinion, directly affects the interest and the security of the United States, and directly affects the power of the Western allies to oppose communism.

Mr. THURMOND. The distinguished Senator from California is quite correct. We know that if the Soviet Union saw fit at any time to veto any item from her own standpoint, she would do so. We know, further, from past experience, that the Soviet Union would not hesitate to violate a treaty, a contract, or an agreement. So what do we gain by having Soviet Russia enter into a treaty with us on this matter at all?

Mr. ENGLE. Mr. President, will the Senator from South Carolina further yield?

Mr. THURMOND. I am pleased to yield.

Mr. ENGLE. The treaty is binding only upon the 12 signatories. It certainly would not bind any satellite of the Soviet Union. It would not be binding, for instance, upon Communist China. It would not be binding upon Hungary. It would not be binding upon Poland or any of the other Soviet satellites.

Let us assume that one of the Russian satellites goes into the Antarctic area and undertakes to establish some type of military operation. The treaty provides that the 12 signatory nations shall operate together in opposing any such intrusion. Suppose they got together and talked about it, and the Russians refused to do anything about it. Suppose Soviet Russia refused to concur? The treaty provides that actions which are taken to facilitate the terms of the treaty must be carried out by a unanimous vote. Suppose the Russians refused to do anything. Then let us suppose that we got into a dispute with them about it. We come right back to the point which the Senator from South Carolina just made; namely, that the dispute itself would then rock on interminably. It would have no terminal facilities whatever.

What would happen then? The Soviet Union would have injected into the Antarctic a satellite nation for the purpose of establishing a military base of one kind or another. The Soviet Union, being a party to the treaty, could block any action which might be taken by the 12 signatories to eject that satellite. The United States of America could do nothing about it; its own hands would be tied.

We could not establish a military base in the Antarctic to counterbalance the military base established by the non-signatory satellite of the Soviet Union, because as a party to the treaty we have agreed to demilitarize the area. So we would have handcuffed ourselves.

Furthermore, we are subject to inspection. The Russians could run their inspection teams around to make certain that we were not doing anything of a military nature in that area, either passively or aggressively.

So we would have tied our hands so that we could not possibly meet the Soviet military action being taken through its satellite. They could proceed to set up their missile installations.

I assert that the treaty is simply bulging and bristling with all sorts of threats to the security of the United States of America.

Mr. THURMOND. The Senator from California is quite correct. I may say that if one did not know that our country had had a part in preparing the treaty, he would wonder whether or not it was prepared by an enemy of the United States.

Mr. President, each of the nations would, under the terms of the treaty have the right of unilateral inspection to insure that its interpretation of the treaty was being adhered to.

Differences being assured by virtue of the certain interpretation by each country to its own advantage, what recourse is provided through unilateral inspection? Indeed, there is no recourse at all, and not only an invitation to controversy, but an insurance of conflict. Consider the reaction if Russia attempted to transport a launching site for a spy satellite to the Antarctic, where its launching and monitoring would be

most feasible. Would the Communists be so cooperative as to agree that such action was other than peaceful, and can we truly conceive that an attempt by Americans to inspect the transporting ship would be met by other than force and violence if persistent? Surely we now have the bases for sufficient international controversies with communism to tax our best efforts without adding more of our own making.

The very fact that the Union of Soviet Socialist Republics has so willingly participated in the negotiations leading to the signing of this proposed treaty, and thereafter affixed its signature to the document, should serve as a red flag of warning to any who appreciate the nature of the Communist ideology. The history of the Russian nation under communism is consistent and flawless proof that the Russians enter into international agreements when, and only when, such agreements further their own interest or what they consider to be their own interest. We should keep in mind that the goal they seek to advance, and to which is directed both their domestic and foreign policies, is the communication of the world. This treaty furthers the interest of communism since it gives to the Russian Communists a foothold in Antarctica which they have been unable to secure by other means. It would be bad enough if we could anticipate that the Russians would do no worse than fail to abide by the treaty's terms, but their methods are much more devious than this. International agreements are considered by the Communist dogma as shields of deceit and tools of aggression. By proposing this Antarctic Treaty, we would supply the Communists with a wedge to breach the good relations between us and other free world countries which have valid interests in Antarctica. By this treaty we would bind ourselves to a set of rules which our consciences and national pride would require us to honor; while the Communists, in adherence to their policy of utter bad faith, would not only not live by, but would twist and distort deliberately and with malice to our own disadvantage. One can reach no other conclusion in arriving at a prognosis of Russian actions under this proposed treaty, if he considers it in light of their past actions, which, incidentally, are well documented in the 1959 report of the Internal Security Subcommittee of the Senate Judiciary Committee on "Soviet Political Agreements and Results."

Even were not the Russians a party to the proposed treaty, the treaty would nevertheless be an unsound and fallacious approach to a resolution of the problems concerning the future administration of the Antarctic Continent. Under the provisions of the treaty all United Nations members who are willing to participate in scientific endeavors in the Antarctic are invited to become parties to the treaty. Each nation which would become a party to the treaty would have a say-so and, in fact, would be authorized and guided by its own interpretation of the treaty's terms

in the administration of this subpolar region. Under such circumstances lofty ideals such as those enunciated in this proposed document are but invitations to disaster, for in this era predominated by the resurgence of nationalistic tendencies every nation, and particularly those which only recently joined the community of nations, exhibits a strong and determined fetish with regard to their individual national interests. These circumstances insure differences of opinion even when the parties are dealing in good faith. The creation of such circumstances, fostering, as they do, causes for differences and disunities, does disservice to the best interest of the community of nations.

The question of ratification of this proposed treaty can well determine the future course of our country's foreign policy. Ratification of the treaty would serve as an endorsement of our post-war policies of drift and procrastination. Now is the time to change from a foreign policy of reaction to a policy of action. By a rejection of the proposed treaty, the Senate of the United States has the opportunity to reaffirm the hope of the free-world nations that the United States is now prepared to wear its mantle of leadership with responsibility, rather than evasiveness and vacillation.

The Senate of the United States has an obligation to the entire country to protect the rights of the American people in the treaty-making process to the same or to a greater extent than it does in the lawmaking process. To advise and consent to an obviously unwise treaty, which is in derogation of the property rights and sovereignty of the people of the United States, would be a neglect of duty to uphold the Constitution of the United States, which each of us has sworn to observe. The Union of Soviet Socialist Republics greedily anticipates our favorable action on this question. That Government realizes, as do the other parties to the proposed treaty, that the Senate of the United States is a part of the treaty-making process of the U.S. Government. They will have no cause for complaint at the loss of a windfall, should we reject this proposed treaty, although it unquestionably, to Russia at least, will be great cause for disappointment. I urge the Senate to exercise its constitutional duty in the manner intended by the framers of the Constitution, and renounce its role as a rubber-stamp for our timid State Department. Let us take this opportunity to protect the rights and sovereignty of the people of the United States, and replace the greedy anticipation of the Communists with disappointment at their loss, and disillusionment that the Senate of the United States is no longer a tool of a weak U.S. Department of State.

Mr. ENGLE. Mr. President, will the Senator from South Carolina yield?

The PRESIDING OFFICER (Mr. CARLSON in the chair). Does the Senator from South Carolina yield to the Senator from California?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from California.

Mr. ENGLE. Again I should like to compliment my colleague upon his very fine speech.

Earlier in his presentation he put his finger upon one of the key issues; namely, why the Soviets are in this picture at all. From the Senator's investigation of this matter, has he been able to find any basis for Soviet claims in Antarctica?

Mr. THURMOND. As stated in the earlier part of my address, I have not been able to find any basis on the part of Russia for a claim to Antarctica; and I quoted from the Encyclopedia Americana to substantiate that position.

Mr. ENGLE. A Russian admiral named Bellingshausen toured that area many, many years ago. But he did not sight the Antarctic continent; and in no statement that he made did he ever claim that he had sighted the Antarctic, or made any claim to it, or claimed that it existed as a separate continent.

As I understand, the Soviets have been active in that area mainly since the beginning of the International Geophysical Year, in which we invited them to participate. But whatever claim the Soviets have on that basis is very flimsy and immature, and certainly does not rank with the claims of the United States and other nations that have been in that area a great many years.

So is it correct to say that there is no substantial basis whatsoever for Soviet claims to the Antarctic; and that, therefore, to let the Soviets into the Antarctic would be a pure gratuity on the part of the United States and the other countries which do have legitimate claims in that area?

Mr. THURMOND. The Senator from California is absolutely and unequivocally correct. The expedition of Bellingshausen, the only Russian expedition prior to the International Geophysical Year, had to do with some minor islands removed from the Antarctic Continent.

Mr. ENGLE. Perhaps the Senator from South Carolina can clarify another point. It has been said that 20 percent of the Antarctic Continent is not claimed by any country. So what right do these 12 nations have to arrogate to themselves, in this treaty, as they undertake to do, the disposition, control, and administration of the Antarctic Continent?

Mr. THURMOND. I believe they do not have any authority to try to take over the areas of the Antarctic Continent where claims have not been staked out by any nations. It is my opinion that the United States has done more than any other nation to stake out claims there, and that the United States would be entitled to stake out its claims, but would not have authority to dispose of portions that have not been claimed or staked out by any nation, not even by the United States.

Mr. ENGLE. But 20 percent of the area is not claimed by any nation. However, these 12 nations—including, gratuitously, as I have said, the Soviet

Union—undertake to sit around a table and to arrogate to themselves, by means of this treaty, the right to exclude any other nation from that area. Can the Senator from South Carolina think of any moral basis for the 12 nations signatory to the treaty to proceed in that way?

Mr. THURMOND. Certainly not. Unless the American people had been assured that the treaty was prepared by the U.S. State Department, an agency of the U.S. Government, I repeat my statement, as an American—and I believe that most Americans would take the same viewpoint, if the same facts were available to them—that I believe all Americans would wonder whether the treaty had been prepared by an agent of Russia, in order to bring Russia into the picture, whereas in reality Russia has no right to be in it.

Mr. ENGLE. What does the distinguished Senator from South Carolina think would happen if some nation, not signatory to the treaty, came into the Antarctic and established itself in a part of that area to which no nation has up to the present time made any claim, and then went before the United Nations and said, "No nation has claimed this area, and we were not invited to participate in this treaty. We think we have a right to stake out our claims, because we have established ourselves in part of the 20 percent of the Antarctic that has not been claimed by any nation. So we call upon the United Nations to tell the 12 signatories to this treaty to mind their own business, and not attempt to crowd us out."

What does the Senator think would be the result of that kind of situation?

Mr. THURMOND. From the moral standpoint and from the standpoint of international law, there would and could be only one honest conclusion, and that is that the nation which staked out this claim in an area that had never been staked out by any other nation would have the right to it.

Mr. ENGLE. That is precisely correct, in my opinion, and I believe that the claim would be sustained in world opinion. This treaty, so far as that particular claim is concerned, would not be worth the paper it is written on.

Mr. THURMOND. I thank the able and distinguished Senator from California for the questions he has propounded and for the discussion he has stimulated on this subject. He is to be commended for his great knowledge of the subject and the contribution he has made on this topic.

Mr. President, I yield the floor.

Mr. JOHNSTON of South Carolina. Mr. President, if the Antarctic Treaty were a treaty between nations with which we are friendly and which, in the past, had upheld previous treaties, I would not raise serious objection to ratification of the Antarctic Treaty.

However, this treaty not only involves friendly nations but it also involves Russia, a nation which has repeatedly trampled treaties into the dirt and treated treaties like scraps of paper. One of the great dangers I see in ratifica-

tion of the Antarctic Treaty is that, once again, we will be giving away something for nothing, so to speak.

Russia has never laid any legitimate claim in the Antarctic, and ratification of this treaty will legitimize the claim which Russia has never been entitled to. By the same token, the United States has never laid a legitimate claim to any territory in the Antarctic and, in fact, the U.S. Government has never decided what we would lay claim to if the treaty were to be ratified.

Because of these two points, I think the ratification of this treaty would amount to our "shooting in the dark," so to speak. As in all such treaties that were born in ignorance in our past history, if this treaty is ratified, we will come out of the short end.

Unless we know what we intend to lay claim to, and know what Russia and other countries intend to lay claim to, then I fear we will wind up with nothing but an ice shelf, while others will become heir to whatever value there is in the Antarctic area. We know little of the Antarctic, and it seems rather ridiculous to be making a treaty concerning an unknown quantity.

I suggest the United States determine its geographical claim to the Antarctic before we enter into any agreement with any nation which has already established legitimate claims, or which has not established claims. Personally, I think the State Department and the executive branches of the Government through the years, not only the present administration, have been derelict in their duty for not having determined our legitimate claims in the Antarctic.

We must not stamp approval on a vacuum of nothingness here today, but should delay action on this treaty until such time as the United States can come up with its claim to certain areas of the Antarctic which have been explored by us. No nation on earth has done more to open the eyes of the world to the potentials of the Antarctic than has the United States; yet the United States is now ready to stamp approval on a treaty before we even have established claim for our tremendous expenditures and work.

There is something wrong in America's foreign policy, and it is a serious wrong. We have become reactors instead of actors. We jump every time we are pricked internationally, but we never seem to move to prevent the prick.

Our position of leadership in the world has seriously deteriorated. If a nation is to remain a leader, it must be active in leadership. We must stop reacting and begin to affirmatively act. The welfare of humanity depends upon which way we go.

This treaty, in my opinion, is just another reaction and I, for one, do not intend to vote for it. It obtains us nothing, and gives away everything under our stamp of approval.

ORGANIZATION OF AMERICAN STATES ACTION AGAINST CUBA

Mr. KEATING. Mr. President, I desire to make a few remarks in regard to the treaty, but before doing so, on another subject, I wish to express gratification that the Organization of American States yesterday voted, 20 to 1, to take up the agenda proposed by the United States, and rejected, 20 to 1, an alternative agenda offered by the Cuban Government. The program we supported calls for the foreign ministers to consider "threats of extracontinental intervention," "existing international tensions in the Caribbean," measures to promote greater political stability through higher living standards, and inter-American cooperation "for the defense of the democratic American institutions against the subversive activities of any organization, government, or their agents."

This four-point program, which was even toughened up by the OAS council over the more moderate proposals offered by this country, shows that the rest of Latin America is now as concerned as we are about the increasing Communist domination of Cuba. Apparently the rest of Latin America agreed with us that Cuba's charges of economic and military aggression by the United States against Cuba were nothing but a caricature that bore no connection with reality at all.

Several events have taken place just in the last few days that make it very clear that the Cuban Government is careening along to communism faster than ever. Like a car that has gone out of control, the course of the Cubans veers from side to side, but there can be no doubt that it will end in disaster. Already the Cubans themselves are beginning to wonder who is in the driver's seat. Is it Castro's little brother, who has just returned from what he would like to think was a triumphal tour through Communist Russia? Or is it the sinister figure of Ernesto Guevara, known to have studied Communist tactics behind the Iron Curtain? Whichever of these two is responsible, the latest act of the Cuban Government in seizing all American-owned properties shows only too clearly the malignant machinations of Moscow.

The Catholic bishops of Cuba have announced their distrust of the regime, a position which will have a great deal of influence in Catholic Cuba as time goes on. An increasing number of important Cubans who originally supported Castro have defected from the regime which today seems to allow only Communists to speak their minds.

Khrushchev himself provided the impetus to action by the other Latin American States when he decided to denounce the Monroe Doctrine. As the distinguished columnist, Roscoe Drummond, pointed out, August 6, the Monroe Doctrine is no longer a U.S. fiat to keep other nations out of Latin America. It is an agreed principle of all the American nations together to cooperate in resisting any outside intervention in the Western Hemisphere. When Khrushchev attacked this theory, he was in fact announcing his desire to intervene through-

out Latin America. No country in this hemisphere could allow that.

The vote of the OAS reflects the alarm that these latest Cuban and Soviet moves have created. It is in effect a vote of confidence in the farsighted and restrained policies that this administration has followed toward Cuba. President Eisenhower has given the Cuban regime every opportunity to reverse the trend toward communism. There has been no unilateral intervention. The only step we have taken to date against Cuba has been to cancel the sugar quota under which we agreed to pay nearly twice as much as the world price for their produce.

Our patience is paying off dividends now in the willingness of the other Latin American States to go along with us in studying the Cuban problem. I hope that the OAS will continue to justify the faith that the United States and the rest of Latin America has posed in it.

I hope the OAS will come up with a strong program to quarantine the Communist infection in Cuba until the Cuban people themselves can see the falsehood of their leaders and themselves can choose the political, religious, and economic freedom that they rightly desire.

THE ANTARCTIC TREATY

The Senate resumed the consideration of Executive B (86th Cong., 2d sess.), the Antarctic Treaty, signed at Washington on December 1, 1959.

Mr. KEATING. Mr. President, the Antarctic Treaty that we are now considering represents a forward-looking and realistic approach to an area that could otherwise explode at any moment into cold war tensions or, indeed, under conceivable circumstances, into even worse than that. It represents a constructive step in the direction of international cooperation at a time when such steps have too often been blocked by Soviet intransigence.

Basically, the purpose of the treaty is to prevent the Antarctic continent, as big as the United States and Europe combined, from becoming a source of cold war friction and discord. The treaty provides that Antarctica shall be used entirely for peaceful purposes, that no nuclear tests shall be conducted in the area, that no territorial rights shall be recognized or considered, and that every signatory nation shall have complete rights of unilateral inspection in order to satisfy itself that the treaty is being obeyed. In other words, the Antarctic continent will be neutralized, or internationalized, or, in the words of some punsters, put into cold storage. For the duration of the treaty, no territorial claims can be made, altered, confirmed, or affected in any way by action of the signatories.

The treaty, which was negotiated as a result of American initiative, has been signed by representatives of 12 nations, including the United States, the Soviet Union, and every nation which has ever advanced serious claims to the region. Most of these nations are waiting for the

United States, which took the lead in advocating the treaty, to take the lead in ratifying it.

It is my firm belief that the advantages of this agreement far outweigh the possible disadvantages. Nevertheless, opponents of the treaty have raised a number of points against it which might at first sight seem valid. I should like, therefore, to take this opportunity to look carefully into the arguments which have been raised against the treaty, and to point out their weaknesses.

First, some people have argued that we should never have invited the Soviet Union to sign the treaty at all, that we are merely giving the Russians a new forum, a new area in which to make trouble. But this is not the case at all. We are not giving the Soviet Union anything which the Russians do not in fact already have. The Russians claim that the continent was discovered by one of their explorers in 1820. Ever since the International Geophysical Year, 1955-56, the Soviet Union has had a large number of scientific stations in the Antarctic. In fact, Soviet research in the area has been second only to ours and considerably greater than that of several other nations which have made large territorial claims. Moreover, article IV of the treaty explicitly states that the claims, bases of claims, and rights of the contracting nations are not to be altered in any way for the duration of the treaty, which will be at least 30 years. In other words, far from giving the Russians a chance to establish themselves further in Antarctica, the treaty would make it legally impossible for them to do so.

Some people argue that this whole procedure is artificial. They say that we should simply go right ahead and claim a large share of Antarctica for ourselves and negotiate with the other nations which have such claims to settle overlapping claims. This procedure, they say, would leave Russia out in the cold, because the Russians have made no specific territorial claim so far. Perhaps at one point, right after the Second World War, we could have done this, but such unilateral action is no longer possible today. The only way that we could, in fact, eliminate the Russians from Antarctica now is by driving them out with brute force, risking a third world war. Few, I think, would argue that desolate, unpopulated Antarctica was worth a world war or any kind of "police action."

The United States has never claimed territorial sovereignty for itself over any part of Antarctica, even though American explorers, and particularly the remarkable Admiral Byrd, have always played a leading role in the discovery and exploration of the continent. We have never recognized the claims of any other nation in Antarctica. The reason for this restraint is that international law requires territorial sovereignty to be established not only by discovery but also by continuous occupation and settlement. Since Antarctica is unfit for natural human habitation neither the United States nor any other country has maintained settlements there, except briefly for

scientific purposes. Therefore, in our eyes no claim for ownership of the continent is possible by any nation.

The Russian Government has, since the end of the Second World War, adopted the same position as we have in this matter. Although they do not claim any specific part of the continent for themselves, at the same time they do not recognize the claim of other nations to sovereignty. Like ourselves, they have established scientific bases and stations without requesting permission of any other nations which might have had claims there.

Since the attempt to delineate different national spheres of control would at once cause conflict between many of the treaty signatories, it was decided, very wisely, I believe, to freeze all territorial claims for the time being and to keep the entire area open to all nations which had legitimate scientific programs to carry out within it. In this way, the United States is not restricted to a narrow sector itself, but can carry out researches wherever they might be most useful.

Another important feature which is often ignored by the small minority which opposes the treaty is that it permits to us, as to all signatory powers, a right of unfettered unilateral inspection. It permits aerial and ground inspection at any time, and inspection of ships, aircraft, and stations. Should the Soviets want to use the continent for military purposes or to set up military installations there in violation of the terms of the treaty, such moves could be immediately detected and publicized by the United States.

Mr. President, I do not wish to be misunderstood on this point, which I consider to be vital. I know that the Soviets have violated a good many more treaties than they have honored. I know that Soviet promises are not as good as the paper on which they are written. I know that Khrushchev and those who will be his successors would not hesitate for a moment to break any part of any agreement that suits them. The longstanding crisis over Berlin proves that only too well. But I do not think the Soviet Union would have anything to gain by breaking its pledge to 11 other nations and setting up a highly vulnerable base in a remote area difficult to supply and even more difficult to maintain. Furthermore, our Department of Defense has approved ratification of the treaty, pointing out that in the present advanced state of weapons development an exposed Arctic base would be no threat to free world security and hence would offer no great appeal to Russian strategists.

Moreover, even if the treaty were to be violated by the Soviet Union, the result would merely be a reversion to the present status of conflicting claims. The worst that could happen would be a return to the existing situation. We have nothing to lose by giving the Russians a chance to abide by the treaty, and a good deal to gain in the area of international cooperation.

Some critics have suggested that we are making a mistake to forbid nuclear testing and the disposal of nuclear waste in this area before any overall nuclear ban with inspection has been agreed upon. But the answer to this argument is very simple. The nations of the Southern Hemisphere would simply not have accepted the treaty if it had not contained this provision. The winds at the South Pole all blow toward the North, and any radiation generated in Antarctica would very quickly blow over nations of the Southern Hemisphere. The treaty offers so many other positive advantages that, even though we may consider this a disadvantage, it is hardly sufficient reason to reject the agreement or to antagonize the nations which are adjacent to Antarctica.

Another objection which has been raised is that we may be surrendering valuable economic rights in Antarctica by not staking a definite claim. There are several answers to this. One of the experts testifying before the Foreign Relations Committee on the treaty declared that he would not give a nickel for the whole mineral wealth of Antarctica. Extraction and transportation expenses would be prohibitive for many years to come. And even if mineral or other wealth should be found, the discovering nation would have complete liberty to exploit it as desired. What we found could remain ours.

I have tried at some length to rebut the main arguments that have been used against the treaty because I think they can be very misleading. We are not handing over Antarctica to the Russians. We are not giving them any rights that we do not have for ourselves. And we are not by any means renouncing our concern for the future peaceful study and exploration of the area.

Now I should like to mention very briefly what I consider to be the positive merits of the treaty, for it is important not only in a negative way in order to prevent possible future clashes, but also in a positive way to indicate new roads to international agreement. I lay special stress on the treaty stipulation in the matter of inspection, for that is of vital and far-reaching significance. On the one hand it will insure full protection against any violation of the treaty. On the other hand, it will constitute an invaluable testing experience in the technique and mechanics of international inspection. The need for a workable, effective means of international inspection has been the cornerstone of U.S. disarmament policy ever since the end of the Second World War. If we reject this treaty, which allows such thorough inspection by any of the signatories, our whole disarmament policy will look like sham and propaganda. By ratifying the treaty, we can show that we really mean what we say about control of armaments with international inspection and we can perhaps lay a foundation for other agreements of wide scope.

And finally, I should like to emphasize the arguments made by the distinguished columnist Arthur Krock in the New York Times last week. This Antarctic Treaty can provide an excellent precedent for the determination of sovereignty conflicts in outer space. Supposing the Russians should land on the moon or another planet first, we could point to this treaty and make it clear that we would not recognize any claims not based on continuous settlement. Then this treaty would become an excellent model for future arrangements. Whereas if we rejected this treaty now, we would be simply inviting the Russians to get to outer space first and claim it all for themselves. This treaty, as Arthur Krock rightly asserts, "is a vital defense policy in the space age."

For all these reasons then, and with the full concurrence of all the departments of the Government including the Department of Defense and the Atomic Energy Commission, this treaty has been signed and presented to the Senate of the United States for its advice and consent. I believe we would be doing a great disservice to the long term interests of this country if we did not ratify the treaty promptly and by a large majority. It can open the way not only to the peaceful development of Antarctica but also to the more important agreements on disarmament and outer space which we will be striving to reach in the future.

In my judgment we would perform a significant service in the ratification of this treaty.

Mr. LAUSCHKE. Mr. President, I rise to give support to an affirmative vote on the ratification of the treaty. The President of the Senate at the present time knows that I am a member of the Foreign Relations Committee. I was rather diligent in my attendance during the hearings that were conducted, when testimony was taken on the negative and positive aspects of this document. When the hearings began I gave recognition to the fact that there should be no yielding to the Soviets. I did not become a slave to the proposition that we should become signatories to the treaty so as to avoid complications with the Soviets.

The testimony discloses that this continent has an area equal to that of the United States and all of Europe, and that it is covered with an ice cap having a thickness averaging 1 mile, and in some places a thickness of 14,000 feet. There is one area of about 200,000 square miles that has a temperature at its warmest of 20° Fahrenheit above zero. The testimony further discloses that traces of about 175 minerals have been found, and that there is an abundance of coal of a low grade lignite quality.

Geologists have expressed the view that because of the very fierce winds and cold, the prospects of using any natural resources or minerals that might be found are slender. There are areas in which the temperature reaches 120° below zero Fahrenheit. As the Senator from Arkansas [Mr. FULBRIGHT] stated,

the fierce winds blow at times with a velocity of 200 miles an hour.

I think that one must select one of two courses to be followed: First, to declare the policy of our country to be that this vast continent shall be an international zone, controlled by international law, without being fragmented in accordance with the claims that are existent and made by seven nations of the world.

The second course would be a declaration of policy by the United States that it is its conviction that our country will best be served, and the peace of the world will be insured, by dividing this continent in accordance with the existing claims made by seven nations and the prospect of claims which might be made by the United States and perhaps others.

What is the participation of our Government in the discovery and exploration of Antarctica? The testimony shows that in 1820 Palmer went into that area with a sailing vessel. That is about the beginning of our known contact with Antarctica.

In 1839-40, Lieutenant Wilkes of the U.S. Navy sailed along the coast and saw parts of this vast continent.

On the other hand, with respect to the Soviets, there is evidence that a Fabian von Bellingshausen in 1820 in a Russian sea vessel, was in that area and beheld this vast continent of land.

From 1840, when Wilkes sailed along that coast, down to 1928, I believe, when the explorers of our Government became interested, no action was taken by our country.

Since 1928 action has been rather intense, as reflected by the travels of Admiral Byrd and the flights made by our Navy over Antarctica. The Soviets, since the time of Bellingshausen, took no action regarding that area until 1948. In that year, when a meeting was proposed for the purpose of resolving conflicting claims, the Soviets said they had a right to a voice in the decisions. Our country has said that we have the basis for claims. However, neither the Soviets nor our country, although each might have made claims, asserted them.

That, in a nutshell, is my understanding of the basic facts upon which we have to make our decision.

It is argued by the opponents that by the treaty we are giving up valuable rights, and that the rights which accrued to us in 1820, when Palmer sailed along the coast, and in 1839, when Wilkes traveled halfway down the coast, and through the travels of Admiral Byrd will be yielded in the event we subscribe to the treaty.

If that is true, I respectfully submit that the claims of the Soviets will likewise become invalidated.

However, that is not so. The treaty, in conclusive and direct language, specifically states, as I shall later point out, that established rights are not abandoned by the treaty. I put this question to my fellow Senators. Having in mind the nonusability of this land, the tremendous ice cap which covers it, the existence of seven established claims, the

conflict with respect to the seven established claims, and the conflict which will arise between our Nation and the Soviets, is it to our advantage to have this area declared a neutral zone of the world, governed by international law, free from military bases and military activity, or, on the other hand, would we be better served by fragmentizing the continent, assigning it to seven nations, and then be faced with the prospect of a conflict between the Soviets and ourselves?

In my judgment, the answer is that, having in mind the provisions of the treaty, it would be to the best interest of our country and to the world to have the area neutralized, governed by international law, and used solely for scientific and research purposes.

I should like for a moment to discuss the treaty. I will rather hurriedly but with sufficient detail take up the various articles of the treaty.

Article I declares:

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, *inter alia*, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapons.

That is a sound provision. If it is to be neutralized and kept free of military bases as far as the United States is concerned, it follows that the same treatment will be accorded to the Soviets.

Article II provides:

Freedom of scientific investigation in Antarctica and cooperation toward that end, as applied during the International Geophysical Year, shall continue, subject to the provisions of the present Treaty.

That, in effect, means free from military bases and military activity, and devoted solely to scientific research of benefit to the people of the world.

Article III provides:

1. In order to promote international cooperation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

(a) information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;

(b) scientific personnel shall be exchanged in Antarctica between expeditions and stations;

(c) scientific observations and results from Antarctica shall be exchanged and made freely available.

Article IV, in my opinion, is a very significant part of the treaty, and refutes in a substantial degree the argument made throughout yesterday and today about the United States giving up rights which are now vested in it. It provides:

1. Nothing contained in the present Treaty shall be interpreted as:

(a) a renunciation by any Contracting Party of previously asserted rights of or claims to territorial sovereignty in Antarctica;

(b) a renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica which

it may have whether as a result of its activities or those of its nationals in Antarctica, or otherwise;

(c) prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any other State's right of or claim or basis of claim to territorial sovereignty in Antarctica.

The basis of claim of the United States is the sailing of Palmer in 1820, of Wilkes in 1839, and, beginning in 1928, the explorations of Admiral Byrd and of those who followed him, down to this very day.

Paragraph 2 of article IV contains a provision which deals with the ability to predicate new claims upon activities which take place while the treaty is in existence. Paragraph 2 reads:

No acts or activities taking place while the present Treaty is in force shall constitute a basis for asserting, supporting, or denying a claim to territorial sovereignty in Antarctica or create any rights of sovereignty in Antarctica.

Those who argue that as a consequence of activity under the treaty rights will be acquired completely ignore the conclusive and specific language contained in paragraph 2 of article IV of the document.

Article V, paragraph 1, provides:

Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.

That follows the recommendations set forth in article I, which specifically provides that no military use shall be made of the continent of Antarctica.

Article VI provides:

The provisions of the present Treaty shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any state under international law with regard to the high seas within that area.

That article means that the international law with respect to the high seas shall continue in full force and effect.

Article VII provides:

In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article IX of the Treaty shall have the right to designate observers to carry out any inspection provided for by the present Article.

While that language is self-explanatory, I point out, as the distinguished chairman of the Committee on Foreign Relations [Mr. Fulbright] pointed out, that here we have a treaty which contemplates the elimination of military development, but provides for adequate inspection among the observers. That inspection, according to article VII, may be made by divers means, including observation from airplanes, and otherwise.

I come now to article VIII:

In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1(b) of Article

III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals.

I assume that provision was specifically included to destroy the arguments which might be made by those who claim that we are subjecting American citizens to the judicial tribunals of other nations.

Next is article IX:

Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after the date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty * * *

The article then contains subparagraphs identified as (a), (b), (c), (d), (e), and (f).

This article becomes extremely important because the contracting parties agree to meet; they will create a consultative body; and that consultative body will make recommendations for technical implementation of the treaty.

One particular question may quickly arise after that meeting is had. In the event minerals are actually discovered in Antarctica, and in the event they are capable of being transported, to whom will they belong?

As I recall, the Senator from Vermont [Mr. Aiken] raised that question in the hearings, following some questions which I put to representatives of the Department of State. The Department of State answered that, under this article, the consultative agency will make recommendations for the signatories, and subsequently provisions can be made concerning the distribution of the minerals which might be found.

I now proceed to article X:

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in Antarctica contrary to the principles or purposes of the present Treaty.

That article contemplates that whatever is done shall be consistent with the principles and the provisions of the Charter of the United Nations.

I come now to article XI. I think this is a very important article. It deals with the manner in which disputes shall be decided. Constantly the argument is raised that we are submitting to the International Court of Justice questions relating to the sovereignty of the United States. Article XI provides:

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those contracting parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, or other peaceful means of their own choice.

2. Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to

the International Court of Justice for settlement.

To those who would argue against the treaty on the basis that we would submit ourselves to an International Court of Justice, the answer is available that our consent must be given, at the time, that the International Court of Justice shall settle the dispute.

Article XII deals with how modifications of the treaty shall be made. It provides that the modifications shall have the approval of all the contracting parties.

Article XIII deals with how the ratification shall be made. At this point I invite attention to the fact that on December 1, 1959, the 12 signatories to this document met and subscribed to it. Their signatures are already on the document.

My recollection is that five nations have thus far ratified the agreements made by their official representatives. The United Kingdom, which already has claims, has ratified it. Norway, which has asserted claims, has ratified it. The United States has not ratified it, except by the signature of the representatives of the U.S. Government. So the treaty is now before us, for our consideration.

Finally, Mr. President, the treaty provides that it shall be in effect for at least 30 years. That is provided for in article XII. At the end of 30 years the treaty may be reviewed at a conference called by one of the consultative parties.

Mr. President, my own belief is that at the end of 30 years it will be found that the declaration of this area to be a neutral zone, governed by international law, devoid of military equipment or bases, but devoted to scientific research, will be continued.

Earlier in my remarks I said that I do not wish to yield to the Soviets. I do not subscribe to the arguments, made in the last 2 days, that our only alternative is to engage in combat with the Soviets. If we yield constantly to that argument, we shall be yielding to every inordinate demand that the Communists may wish to make.

There are other valid and good reasons why this should be done. I would say, first, that we have repeatedly claimed and stated to the world that the United States is not intent upon expansion or acquisition of lands to which it is not justly entitled. Since 1924, when Charles Evans Hughes declared that the United States was not making any claims to these territories, the position of our Government has been the same. If today we were to say to the world, "Break up Antarctica; give the part between 90° and 150° W. longitude to the United States, and give all the other parts of the Antarctic to the six other nations that have made claims," nothing but confusion and trouble could arise.

We now have the chance to demonstrate to the world, by our action, that we believe in the neutralization of such areas for peaceful pursuits and the

elimination of military bases and military equipment. On that score, the Soviets constantly speak about discontinuance of nuclear tests and about disarmament. However, the Soviets act contrary to their spoken words.

We have spoken for peace and for disarmament and for abandoning nuclear weapons. In Antarctica we can achieve that most effectively.

It is for these reasons that I urge that the Senate ratify this treaty.

Mr. President, I yield the floor.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Connecticut [Mr. DODD] is prepared to address the Senate. Therefore, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DODD. Mr. President, on June 28, I took the Senate floor to express my opposition to ratification of the Antarctic Treaty. I did so, I may say, only after the most serious reflection, because I truly believe that it is a very grave matter for the Senate to refuse to ratify a treaty, especially one initiated and drafted by the Government of the United States.

I regard this question as a very grave one; and I do not feel happy about my position in regard to it. I suppose that in the past other Senators have likewise felt impelled to oppose the ratification of treaties initiated by the U.S. Government, and so in that connection they have had somewhat the same feelings that I had in June, and have tonight.

I do not believe that the position I take in regard to the pending question could be taken by any Senator or could be recommended by any Senator except after the most scrupulous and thorough consideration.

Furthermore I regret very much that more of my colleagues are not now in the Chamber—not because I am speaking, but, rather, because I think some very worthwhile arguments have been made here, both yesterday and today, and I believe they merit the attention of the entire Senate.

I am fearful, too, that the American people are not aware of what is now at issue. It is little wonder that they are not aware of it. In the first place, the facts have not been presented to them. In the second place, there have been the considerable distractions of the two great national political conventions, which have only recently ended.

Mr. President, if the American people were really fully informed about the treaty, I believe that those of us in this Chamber would hear from them in great numbers—because I have great confidence in their good sense—and I believe they would be urging those of us who represent them not to vote for ratification of the treaty.

Those of us who oppose ratification of the treaty are laboring under other handicaps. The Senate Committee on Foreign Relations—justifiably, I believe—has great prestige and power, and its members have exceptional experience and competence. That committee has recommended ratification of the treaty, without a dissenting voice. Against this background, one in my position could rise to oppose ratification of the treaty only with some timidity, and hesitation or, in lieu of this, only with temerity.

However, Mr. President, conscience compels that I oppose ratification of the treaty. I hope my colleagues will heed, or at least will read, what those of us who oppose ratification of the treaty have to say.

I do not think I can be charged with being particularly partisan or bitter toward this administration; I hope I never am toward any administration; so when I say “with all due respect to the administration,” I mean every word of it. I truly and deeply feel and believe that the Antarctic Treaty is one instance in which refusal of ratification—at this time—would be justified.

No arguments I have heard over the intervening period since I made my remarks on June 28 have in any way changed the opinions I expressed on that occasion. On the contrary, everything that I have read and heard since that date has only served to strengthen my conviction that the Antarctic Treaty represents an unwarranted surrender of our hard-won rights in the Antarctic; that it gives the Soviet Union a status in the Antarctic to which it is not entitled; and that it constitutes a potential danger to the security of the free world.

Last night my friend and colleague the able junior Senator from Wyoming [Mr. MCGEE] stated with great clarity, with effectiveness, and, indeed, with eloquence, the case for ratification of the treaty. So did the distinguished Senator from Ohio [Mr. LAUSCHE] this afternoon, for whose general opinions and thinking I have the greatest respect.

If we were to accept the basic premises of the argument offered by my colleague the distinguished Senator from Wyoming, then everything that he said was logical, consistent, and sensible. But I do not accept those basic premises; and I want to tell my colleagues why.

I think I can safely summarize the thesis of the Senator from Wyoming in the following way: Because I struggled with this question today and we all want to be extremely fair in characterizing the remarks of a colleague.

It seems to me the Senator from Wyoming accepted as a permanent fact, first of all, the presence of Russia in Antarctica.

Second, as a permanent fact, the failure of the United States to claim any of that territory.

Thirdly, as a permanent fact, the absence of any system of international control in that territory other than that proposed by the treaty.

I think this is a fair summation of the argument.

The Senator from Wyoming laid before us three alternative courses of action. I read the statement of the Senator from Wyoming as carefully as I could. It seems to me he said our choices were these: We could, without legal basis, push the Russians out of the Antarctic by force, if we were willing to risk world war. That is one of the arguments he made. Or, he said, we could merely reject the treaty, which would do nothing to alter the fact of Russia's dangerous presence in the Antarctic, and which would leave in existence the present anarchy that exists there.

In addition, he said, we could set up a system of international control of the Antarctic by the proposed treaty, thereby acting in harmony with our free world allies in the government of this territory and placing the existence of Soviet Russia there under international control. This, said my friend and colleague from Wyoming, would place restrictions upon the Russians which, if they were violated, would give the free world a moral and legal basis for united action against Russia in the Antarctic.

I think that is a fair summary of the position outlined so competently and ably by my colleague from Wyoming and by others who have spoken on the same side.

If those were the only alternatives, who could doubt that we should accept the proposed treaty? But the fact is that they are not. This is merely a repetition of the song that has been sung so many times in recent years:

“Will you do what we suggest, or are you willing to start a war?”

Consequently, those who take a different view are put in the position of either agreeing with the course recommended or being stigmatized as advocates of a general war.

In the course of what I have to say—and I do not intend to delay the Senate too long—I hope I shall be able to deal with the basic arguments advanced in favor of the treaty and to present a realistic alternative to the Antarctic Treaty, because that, I think, is what is required at this hour in the circumstances in which we find ourselves.

The rights of the United States in the Antarctic are based on priority; on intensive exploration over a period of decades; on human habitation for many years, but, of necessity, human habitation on a limited scale.

There was an American captain, Nathaniel Palmer, sailing from Stonington, Conn.—my own State—who, in 1820, first sighted the Antarctic Continent. Nobody disputes this. It is an important fact, and it is an interesting one for me to note.

During the greater part of the 19th century, scores of American vessels probed the waters of the Antarctic because they were hunting seals. That is what our New England sea captains were doing there in the early 19th century, and that is how they came to discover these lands. In the course of their seal hunts they saw the place and they were

careful and prudent enough to report on what they saw in their ship's logs.

In 1839, another great American seaman, Adm. Charles Wilkes, established the existence of the Antarctic Continent by sailing around most of it and mapping it.

The period of extensive explorations, of course, began about 90 years later, with the first South Polar expedition of the late great Adm. Richard Evelyn Byrd. As a result of the repeated expeditions of Admiral Byrd, the activities of other American explorers like Lincoln Ellsworth and Finn Ronne, and our several massive Government expeditions since 1946, the United States has explored far more of the Antarctic Continent than all the other nations put together.

That is the record. We poured in millions of dollars. We poured in the lives of our people. We have done more work there than all the other nations which lay claims put together.

I have dealt very briefly with our record priority and exploration in the Antarctic, principally because the distinguished junior Senator from California [Mr. ENGLE] covered the subject so well in his masterful presentation yesterday.

Other nations with much more modest records of accomplishment in the Antarctic than the United States followed up on the activities of their nationals by filing claims to sections of the Antarctic continent.

In 1955 on the eve of the International Geophysical Year, the claimant nations included Australia, New Zealand, Great Britain, France, Norway, Argentina, and Chile. The United States, which had done all the great work, which had poured in untold human effort and millions of dollars in exploratory work, made no claim. I shall never understand what motivated our inaction. I do not know why the United States did not make its claim, considering all it had done, when other countries which had done much less were making their claims. But the fact is, we did not do so.

Perhaps it was the same lack of foresight and imagination which once caused the purchase of Alaska to be described as "Seward's Folly," or which made it impossible for Admiral Byrd to gain any Government support for his South Polar expeditions until as late as 1939.

Perhaps it was the traditional American hostility to everything which smacks of foreign possessions and foreign claims and colonialism—although there is some doubt in my mind as to whether penguins can properly be considered colonial subjects.

Whatever the reasons may have been, we obstinately refused, under both Democratic and Republican administrations, to file our claims.

The argument has been made that the present treaty is preferable to the division of Antarctica among seven or eight claimant nations.

I have heard it said that, if we had filed claim, we might have found ourselves limited to the one-sixth of the

Antarctic Continent which had not been claimed by other nations and where our own interests, by common consent, were paramount.

Under the treaty, we and all other nations have access to all the continent, so we are not limited to one-sixth of it.

I thought about this argument when I heard it and when I read it. I believe it is oversimplified and misleading. Let us think about it. Claims are staked out by seven claimant nations, but they overlap each other at several points, and they seriously overlap the area to which the United States has superior potential claims.

Had we been able to come together in a conference with the other claimant nations for the specific purpose of reaching a common agreement, I am confident that any compromise would have given the United States much more than the one-sixth portion of the continent which the other nations had not claimed. Whether such an agreement would have given us 5 or 10 percent more or less of the continent is, in my judgment, of no importance. Under any conceivable compromise we would certainly have received a far larger segment of the continent than any other nation.

But, for the sake of an hypothesis, let us assume that such a conference had taken place and that we emerged from it with a recognized claim to one-sixth, only, of that continent. I say, in all earnestness, that such an arrangement would have been infinitely preferable to the treaty which is now before the Senate for ratification.

I repeat that if we had received one-sixth of the continent as the result of a conference with all the claimants, we would be better off tonight than we are, faced with the ratification of the treaty. Why? Because by an accident of history all the claimant nations prior to the International Geophysical Year were nations of the free world. That is something we have not talked much about, but I am one who believes it ought to be discussed.

Any agreement with the nations of the free world, I think, would have had the effect of converting the Antarctic Continent into a preserve of the free world. And I am confident it would have given these nations complete access for scientific purposes to any part of that continent subject only to the formality of notification.

It is true that the claimant nations had shown themselves obstinate about composing their differences. There is nothing unusual about that. That is as old a situation as the history of the world has recorded. Differences were inevitable in the absence of a clearly defined American position and in the absence of American leadership. Does anyone really wonder that the other claimants were quarreling with each other, when we stood aloof, with the best claim, with the largest claim, never asserted? It is little wonder that a few of these nations fell into difficulties with each other. We never seriously tried to help them resolve their difficulties.

Some may say, "This is prophecy after the fact." But, Mr. President, I venture the suggestion that, had we taken the lead, when we should have done so, in convening a conference of the interested nations, even as late as 1954 or even 1955, an agreement could have been achieved.

At that time the Soviet Union was already talking of participation in the Antarctic phase of the International Geophysical Year. It should have been obvious that, in the absence of an agreement among the United States and the several other claimant nations, the Soviet Union would neither recognize our rights nor request our permission to use the area.

It should have been obvious, also, that when the International Geophysical Year was over we would be confronted with the problem of a continuing Soviet presence in Antarctica.

That is as plain as a finger in front of one's face.

It should have been as plain then as it is tonight to anyone in charge of our international affairs.

There is nothing mysterious about it. There is nothing "prophetic after the fact" about this.

In fact, if anyone has any doubt about that statement, let me hasten to add that several of our friends in other countries at that time expressed serious worry and concern over the very possibility of which I speak tonight. That is a fact of history.

Mr. President, with such an incentive I truly believe an intelligent compromise could certainly have been found among free nations, which have, after all basically common interests.

Instead of this continent becoming a free world domain under the terms of a free world treaty, the Antarctic Continent, it is now proposed in the treaty before us, is to be converted into an international domain where the free world and the Communist slave world are to enjoy equal rights. That is what the treaty says. It amounts to putting the free world and the slave world on the same footing by a treaty arrangement.

At the moment, the Communist world is represented in the Antarctic only by the Soviet Union.

But, according to persistent reports, the Kremlin is already planning to turn over several bases to its European satellites. We do not talk about that probability here either.

Where do I get the information?

Read our periodicals, our magazines, in which it is reliably reported that the Kremlin intends to turn over to its satellites several of these bases under the terms of a treaty.

Soon we shall find ourselves cohabiting not only with the Soviets and the European satellites, but with scientific expeditions sent into Antarctica by Red China. After that, we shall find ourselves admitting Red China to the concert of Antarctic Treaty nations as a later signatory. I make that prediction, if this treaty is ratified.

The language of the treaty and the report of the Senate Foreign Relations

Committee assure us that the treaty in no way prejudices the rights of the United States in the Antarctic Continent, and that essentially the situation remains as it was. It is said that we make no claims and that we recognize no claims, but we reserve our rights.

These assurances, however, in my judgment—and I do not question the good intentions of those who make them—are reduced to meaningless doubletalk in the light of the clear implications of the treaty itself.

I think that Dr. Philip Jessup displayed much more realism and much more candor when he said in his testimony before the Foreign Relations Committee:

As has been pointed out, the treaty would prevent the development of previously asserted claims of other countries to parts of Antarctica.

If I am in error I should be glad to be questioned about my reasoning, but I ask: If what Dr. Jessup has said is true, how can one possibly argue that the treaty would not prevent the development of our own rights into claims, and after that, of course, the formal development of our claims?

I do not think it can be argued otherwise.

It would be illogical to pretend otherwise or to assert otherwise.

Moreover, the treaty prohibits any claims based upon exploratory activities carried on over the next 30 years.

I think it is a matter of elementary logic that the denial of any right to a claim based upon future activities certainly invalidates or, at the least, seriously weakens our own rights and the rights of other nations based upon previous exploratory activities.

Again I wish the proponents of ratification of the treaty would question my logic and my facts, if they care to do so. I do not know how the point can be controverted.

I would have much more respect for the language of the treaty, and for the arguments of the administration and the proponents of the treaty if they were candid and frank with us on this point—for example, if they stood up and said: "The United States and the other nations have long-established rights in the Antarctic. But in the overriding interest of world peace, we and they should forget about rights and claims that have been filed, or that have been neglected, or which have been considered for filing, and instead we ought to convert the Antarctic into an international territory where the free world and the Communist world can cohabit on terms of equality."

I would have much more respect for those who argue for this treaty if they made that kind of argument, instead of saying that we are not giving up any rights or claims—which, of course, we are.

The longer rights go unasserted, of course, the more difficult it is to assert them. Rights are like muscles. If we do not use muscles, they become soft, fat, and weak. The same process occurs with rights, too.

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In my judgment, the Antarctic Treaty, if ratified, would create a political situation which would make it virtually impossible for us to develop our claims.

I am as certain as I have ever been of anything in my life that if the treaty is ratified we will never assert our rights. These are the real implications of the Antarctic Treaty. This is what we are being asked to accept. This is what we shall be approving if we vote for ratification.

Let there be no illusion on this score. The report of the Committee on Foreign Relations argues:

The treaty does not create a Soviet presence in Antarctica, but merely deals with an existing situation.

That, I believe, is a half truth which completely circumvents the question, and I wish to make clear on the RECORD why I say that. If the claims of other nations and the rights of the United States in the Antarctic have any validity at all, then the Soviet Union has been carrying on its International Geophysical Year activities in Antarctica on the basis of a kind of "visitor's visa."

How else can they be there? If our rights are valid and the rights of other claimants are valid, then they are down there with our acquiescence and that of the other claimants. They do not have any rights of their own; they are "visitors for scientific purposes."

The effect of this treaty, if we ratify it, is to grant the Soviet "full citizenship" down there.

Instead of having the status of "visitors for scientific purposes," by this treaty we would give them "full citizenship."

For how long? In perpetuity. This is a point that has not been discussed to any extent.

Interestingly, and conversely, the treaty downgrades the status and rights of the United States and other free nations in the Antarctic. Our own rights and that of other free nations are downgraded, while we are upgrading the rights of the slave empire.

How is this done? By a very intriguing ritual by granting to us, simultaneously and equally with the Soviet Union a right to citizenship, if you please, in the Antarctic Continent, conceived of as an international scientific preserve.

There are some who agree that it would have been preferable if the free world had arrived at an agreement on claims prior to the International Geophysical Year. But the same people, as I have listened to them and have read what they had to say, have argued, "Yes, you are right; it would have been better if we had arrived at some agreement on our claims and the claims of others, but we did not do so."

So they say, "In view of the fact that we did not do what we should have done, the best we can do now is to ratify this treaty."

This troubled me last night and yesterday, and it has troubled me ever since June 28, when I spoke on the floor in opposition to ratification of the treaty. It

has troubled me for several reasons. I have been troubled by the lack of logic in it, for one thing.

It has troubled me most of all because, as I understand the line of reasoning of those who favor the treaty—and I always like, as I am sure my colleagues also like, to understand the reasoning of those who oppose my position, it is this: "Yes, we made a mistake, but to correct it might be very embarrassing."

They add: "Therefore, let us not correct our mistake of not asserting our rights, based on the millions of dollars we have poured in, and the manpower and our inventive and exploratory genius, but instead, let us give our mistake legitimacy by negotiating it into a treaty."

That is what they are suggesting by asking us to enter into this treaty.

I would be interested to hear from anyone who has a contrary opinion.

It has been pointed out to us that the treaty gives us an unlimited right of inspection of Soviet bases in the Antarctic.

This is a bewitching and beguiling argument.

Some who are in favor of the treaty say, "Think of that; we are going to get the right of inspection, a right we have never been able to get anywhere else in the world."

Of course that appeals to many people. I understand why. I understand the fear of a terrible war as well as anyone else. However, I suggest to those who make this argument, that the Soviets, who have never accepted any kind of inspection in any other part of the world, have agreed to this unlimited right of inspection, as it is described, for a very simple reason. They have agreed to the unlimited right of inspection in Antarctica because it means nothing, and it protects us and the free world against nothing. That is why they have agreed to it.

The treaty prohibits the establishment of military bases in Antarctica, or the introduction of nuclear weapons on the continent.

For the life of me I can see no possible use for Soviet military bases in Antarctica.

I cannot see why they should want to erect batteries of missiles there.

The Kremlin already has ICBM's capable of hitting Singapore and Australia from Russia. They also have, or will shortly have, submarines with missile capabilities.

They do not need to set up any bases in Antarctica.

I am not a military expert, but I would wager that they never will.

I believe, however, that the Antarctic Continent is of considerable military significance, and that the Soviet Union presently is supporting and will continue to support the Soviet military effort.

Someone who hears me say this will probably say, "That is an inconsistency. He just said that it is of no military significance, that the Soviets do not want to establish any military bases there or any missile bases. Now he says that it has military significance."

Let me explain this apparent inconsistency.

The point is that we live in an age when natural science and military technology are inseparably involved. Meteorology, oceanography, the study of cosmic rays, terrestrial magnetism, the shifting pattern of the earth's magnetic field, and the ionosphere—all of these things, I have been told by competent authority have implications for various aspects of military science in this day and age, including submarine, missile, and space warfare. It has implications far greater than the traditional military terms in which we are accustomed to speak.

So I suggest that it is not missile bases in the Antarctic that the men in the Kremlin want.

They would like to have us think that that is what they are looking for.

I do not believe it, and the best advice that I have obtained tends to prove that I am right.

What they want is scientific information that can be fed into their military planning and military technology.

As Dr. Lawrence Gould, one of the country's top Antarctic scientists, has pointed out to the Committee on Foreign Relations, scientific information is the Antarctic Continent's chief export. There are many natural phenomena which can be studied better in the peculiar conditions of the Antarctic environment than anywhere else in the world. That is the opinion of experts in this field.

Science is a Janus-faced thing. It can serve free mankind or serve the cause of evil and of destruction. History tells us that this is so.

Under the terms of the proposed Antarctic Treaty we might perhaps inspect a Soviet base somewhere on that continent and reach a finding that the base is conducting a purely scientific activity. As a matter of fact, I am confident that we shall never reach any other finding.

The point is that it would be tragically and dangerously misleading to conclude from this that the Soviet activities in Antarctica are in no way related to their military effort, for the reason that I have just outlined.

I am not suggesting that we should at this juncture resort to force to terminate Soviet scientific activities in Antarctica, despite their provocations and threats of war. I would be prepared, unless the international situation became even more acute than it is now, to see the Soviets continue their scientific activities in Antarctica. However, the Antarctic Treaty is certainly not necessary to enable them to carry on these scientific activities. That is precisely the point that I believe should be made very clear.

This treaty is not necessary for that purpose.

There would have been no danger of conflict, no tension, had we let matters stand as they were and not proposed the treaty.

But why give the Soviets in perpetuity rights in that continent to which they are not entitled?

Judging from their history, the chances are 90 to 10, or perhaps even 99 to 1 that they will misuse and abuse such rights, and turn at every opportunity against the free world.

The treaty also gives legitimacy to the Soviets for all time. I wonder how many Senators have considered this aspect of the treaty. I have read it carefully. It is truly deplorable that it should give them rights in perpetuity.

This is something not altogether new in treaties; but it is, nevertheless, something extraordinary. There is no escape clause whatever. Someone will hurry to say that, while the treaty has no fixed time limit, theoretically we can withdraw from the treaty after 30 years. That is true. If the treaty endures for 30 years, the situation by that time will be frozen in perpetuity. But what will happen after the 30 years under the language of the treaty? The only way we can get out of the treaty is by violating it—because the act of withdrawal would be a violation. That is a fine way to bring a treaty, or any other honorable agreement, to a conclusion.

Mr. President, is it an exaggeration to say, or can one be charged with being overdramatic when he says that this is a time of unprecedented crisis?

Is that extreme language?

Is there anyone who doubts that this is an hour of extreme crisis?

Everyone who should know says so.

The President of the United States says so.

His Cabinet says so.

The leaders of my party say so.

The leaders of the free world say so.

Of course, I believe they are right.

It is an hour of unprecedented crisis.

On at least four occasions in the past 2 months Khrushchev has threatened the free world with all-out nuclear war.

Think of that—four times in 60 days.

It is little wonder that our leaders on both sides say that this is a time of unprecedented crisis.

Mr. President, fearfully I say that if the world situation continues to deteriorate at the present rate, I can conceive of a situation in which we would, as a matter of security, as a matter of our own self-preservation wish to terminate the presence of the Soviet Union in the Antarctic.

I ask again, Is it an exaggeration to speak of force in this connection?

Am I speaking in extravagant or reckless terms?

I do not think so.

I am posing and presenting a situation which I say is highly possible.

If the world situation continues to deteriorate at its present rate, what will we be confronted with?

The physical problem would be a very minor one, I believe. There are about 200 members of the several Soviet bases down there. Physically to persuade them to leave Antarctica would not be a great task on the part of the free world in the foreseeable future.

However, much has been made by the proponents of the treaty of the im-

portance of the legalisms of the treaty, and of how much better a posture we would have in the world if we had the protection of those legalisms. It has been argued several times that, at least if we entered into a treaty and ratified it, we would be legalistically better off. The fact of the matter is that, legally, in my opinion, we would be worse off.

We would find it more difficult, if we ratified this treaty, and the situation became worse, and we were truly and honestly fearful of what might be done to us from that area of the world.

It would be much more difficult for us to throw the Soviets out of the Antarctic, as we might be required to do, if we ratified the treaty, than would be the case if we rejected it.

I think it is the sounder and more sensible argument to reject the treaty at this hour.

Conversely, if my logic is correct, we would be in a stronger position to take the action which I hope we will never have to take.

But if the situation requires it, I hope we will not flinch from taking it.

We would be in a much stronger position if a conference of the eight free world nations interested in the Antarctic were to convene, even at this late date, and were to arrive at an agreement on claims and possessions.

I wish to emphasize, because I am speaking from notes which I rather hastily got together, that I have at no time suggested, and do not now propose to suggest, that we expel the Soviets from Antarctica forthwith.

I have never said that.

What I propose is that we should reserve the right to do so if Khrushchev's arrogance and his missile rattling should result in a further deterioration of the international situation.

I say, Mr. President, that this is simple common sense; it is a simple measure to protect the welfare and the freedom of this country.

In the closing years of his life, Adm. Richard E. Byrd, the great American to whom I have referred earlier, had something to say about this continent. In my judgment, Admiral Byrd was one of the truly great Americans of our entire history. He was a great soul, a great mind, a great man, a great scientist, and a great explorer.

What did he tell us, years ago, about this continent, with respect to which it is suggested tonight that we enter into this kind of treaty with the Soviet Union and other nations?

He warned us that, in the event of war—and he made this warning in time of peace—Antarctica would become of critical importance, both to the free world and to the Soviets. That is how farsighted he was.

One had to assume as a matter of high probability, said Admiral Byrd, that in the event of war—the kind of war he contemplated—both the Panama Canal and the Suez Canal would be closed in the early days of such a conflict.

Then he went on to warn us that, in that event, the free world's shipping

would be compelled to take the long southerly routes around Cape Horn and the Cape of Good Hope. Operating from the Antarctic seas, Admiral Byrd warned, would be long-range submarines.

Think how wise a man was Admiral Byrd.

He said, years ago, that long-range submarines could play havoc with such shipping.

Remember, he was talking at a time when nuclear-powered submarines were not even dreamed of.

He warned that a few small Soviet bases on the Antarctic Continent or on the surrounding islands could play an important role in guiding and abetting such operations.

That is what Admiral Byrd told us, his countrymen.

Admiral Byrd's remarks on the military potentialities of the Antarctic, I repeat, were made before nuclear-powered submarines were even thought of in this country or had demonstrated their ability to operate in the Arctic seas, all the way up to the North Pole and under it.

Admiral Byrd's early prophecy of the usefulness of the north polar regions has been borne out to the hilt.

Those are words of wisdom spoken by a great American leader, Admiral Byrd.

May we of another and a later day take his advice and his counsel before we rush into hasty, precipitate action which may preclude us from protecting the liberty and freedom we so dearly prize.

I do not make any pretensions to being a military expert.

It may be, as some have said, that Admiral Byrd overestimated the direct military potentialities of the Antarctic in the event of war.

I do not think so.

But even the regular weather information supplied by a few clandestine meteorological stations on the periphery of the Antarctic could be of some importance. The Antarctic, as Admiral Byrd frequently pointed out, is the greatest weather factory in the world. That is what he called it. He said that Antarctica is the greatest weather factory in the world, that what happens there affects the weather of the entire Southern Hemisphere.

Now at this point, I invite the attention of Senators, to the fact that the Conference on Antarctica was convened on October 15, 1959. This, I think, is something of interest. The Conference on Antarctica was convened on October 15, 1959.

When do the Senators suppose it was concluded and signed?

It was signed by the participating nations on December 1, 6 weeks later.

I think that is an alltime speed record for the negotiation of a treaty with the Soviets.

Our representatives have been in Geneva for I do not know how long, negotiating with the Soviets in regard to disarmament and in regard to American civilians and American military personnel who are held in Communist prisons.

Our representatives have been working on those problems for 4 or 5 years.

In fact, in regard to almost every subject we can think of, our representatives have been trying to negotiate with the Communists. But the Communists drag those proceedings out interminably. That is one of their methods.

However, it took only 6 weeks to wrap up the Antarctic Treaty package. There was no trouble about it, and little wonder that there was not. The Soviets expressed no serious differences over the American proposals. On the contrary, they welcomed those proposals with open arms, and accepted them with the greatest alacrity. And why not? Did they ever get a bigger bonanza?

From the Soviet standpoint, the American initiative in proposing the Antarctic Treaty was a completely unexpected and unlooked-for bonanza.

I suppose the Soviets were astonished that our representatives would come forward with such a proposal.

It is little wonder that it took the Soviets only 6 weeks to say "yes" to it.

The only serious argument offered in favor of this gratuitous giveaway of American rights—which is what I believe it is—and I do not believe in using softer language when harsh terms are more accurate—is that, somehow, it would further the cause of coexistence; that, somehow, this strange arrangement would make the Soviet Union more amenable to compromise in Europe and elsewhere in the world.

I say this not without some basis in the record, for the report of the Foreign Relations Committee itself suggests that this is an argument in favor of ratification of the treaty. I now quote from the committee's report:

While the risks of entering into agreements with Communist countries are not discounted, the committee subscribes to the belief that a breakdown in communications between the Communist bloc and the free world is an immeasurably greater risk. It believes it is in the interests of the United States to arrive at an agreement with the U.S.S.R. in an area where mutual interests appear to coincide rather than diverge. The alternative to this course of action seems to entail drawing Antarctica into the arena of global conflict. Furthermore, it is considered that this treaty could set a valuable precedent for dealing with new situations arising in the space age.

Mr. President, I like to be charitable when I make criticisms. To me, it is understandable that, prior to the Paris Conference, people of good intentions should have entertained such illusions on the subject of coexistence. But, for the life of me, I cannot understand how anyone could entertain such illusions now; I cannot understand how in the world anyone now could argue rationally that we should engage in such a course of conduct, after what we have gone through at the Paris Conference.

Under these circumstances, such a proposal is more than I can comprehend.

In the light of everything that has happened since May 16; in the light of Khrushchev's brutish disruption of the summit conference; in the light of the

Japanese riots, which have horrified decent men and women all over the world; in the light of the Cuban situation, which by the hour grows more terrible for us and for freemen everywhere; in the light of the Soviet walkout from the disarmament conference within the matter of a few weeks; in the light of the blackmailing letters of recent date to our NATO allies; in the light of repeated threats of nuclear war over the U-2 incident, over the RB-47 incident, over the Cuban situation, over the Congo situation—and I would point out that it has been only a matter of hours since Russia has been menacing us again over the Congo—in the light of all these things, can it still seriously be argued that we, by ourselves displaying a conciliatory attitude toward the Communists, will encourage them to display a reciprocal attitude of conciliation? Mr. President, all logic and all sense refute such an argument.

On the contrary, Mr. President, it seems to me that it is now perfectly apparent—more apparent than ever before to all who have wished to have more facts in connection with this situation—that each new concession and each new display of weakness on our part encourages the Kremlin to further arrogance and further aggression.

Mr. President, this is the situation in which we find ourselves; and there are no facts to refute that assertion. On the contrary, all the evidence supports it. Yet we are asked to make further concessions, to demonstrate further our willingness to bend and to bow and to give in.

I am sure the Antarctic Treaty was conceived by men of good will as a demonstration of trust and good will and a desire to cooperate.

I am sure that is so; I have never thought otherwise.

In my own heart and mind I am confident that this attitude was developed during the time when many people in this country and elsewhere in the world thought that our difficulties were being resolved, and that the tensions, as they are described, were being relaxed, and that there was a chance that we could get away from all this trouble, worry, and strife.

I think that is the background of this proposal and the atmosphere in which it was conceived; I think that is how it came about. I understand that, and I am not critical of the men of good will and good intentions who at that time thought there was such a chance.

But, I suggest to them and to my colleagues, that at this hour it is apparent—so apparent that it is undeniable—that now there is no reasonable chance that such a condition will prevail in the world.

I always desire to be respectful of anyone who is the President of the United States, and I always wish to be respectful of any administration that is in charge of our country.

So I wish to say, most respectfully, to this administration: You now have every justification in the world for taking the

stand, which I truly believe and urge you do take, and for saying, that the Soviet actions since the negotiation of this treaty—including the repeated threats of nuclear war, to which I have referred, four of them in 60 days—have made it necessary for the United States to reconsider its position.

If this administration, under the leadership of our President, took such a stand, and followed it up by calling for a conference of free world nations with records of activity in the Antarctic, I believe we would be doing what is right, I believe we would be making progress in the cause of freedom in the world, and I believe its position would be applauded by freemen everywhere.

I confess that I have been hoping, certainly since June, that the administration would make some such announcement.

Perhaps I was foolish, but I actually thought it would do so. In view of what has happened, I thought the President would probably make such an announcement and save us this struggle in the Senate. I prayed it would happen; but it has not happened, and that is why I have taken the time to urge, with all the vigor I can command and muster, that the Senate extricate the administration from the dilemma into which I think ignorance and good intentions have led it.

We can extricate it by refusing to ratify this treaty. That is what I hope we shall do.

I am one voice, and a small one, but I do not believe that our colleagues have had the time, because of the two great political conventions, and all else that has been going on, to delve into the subject. Oh, it would be a great pity if, through lack of a full understanding and a deep appreciation of all that is here involved, we were to rush headlong into this dreadful kind of agreement, which, tragically is an agreement in perpetuity. I hope we do not do so.

I have heard it suggested that perhaps it should be urged that we postpone consideration of this matter until January, when a new administration will come into office.

I do not have too much difficulty about that question.

I am not trying to beat a treaty.

This is not a personal conflict so far as I am concerned.

These are not adversary matters.

I do not get any pleasure out of arguing with my colleagues about subjects like this.

If it is wise to put the treaty over until the first of the year, until a new administration comes into office, that is satisfactory.

All I am suggesting is that we take a little time to think about it and to recast our decisions in light of world events.

Perhaps by January a great change will have taken place. I have never thought the situation was all hopeless. I earnestly and devoutly believe that some one of these days, in God's good time, a great change will come over the Communist world; and so long as we can keep

the guns from speaking and so long as we can hold the peace, we ought to be working at it.

But I am afraid this treaty is not the way of peace.

It is surely not intended so, but I think it is the way of destruction and of war, because it will whet the appetites of aggressors in the world who are out to destroy freedom.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. DODD. Yes; I am glad to yield to a colleague who made a great and definitive speech on this subject, which I have carefully read, and who is well informed on this whole matter.

Mr. ENGLE. I thank my colleague. I address this question to him. I propose to make a motion, a little later this evening, that consideration of the question of ratification of the treaty be postponed until the 25th of January. My purpose in making that motion will be that the next President of the United States, the next Secretary of State of the United States, and the next Secretary of Defense of the United States, whichever party they may belong to, will be given an opportunity to look at a treaty that will affect, in perpetuity, for all practical purposes, the disposition of an area of the world bigger than the United States plus all of Europe.

I propose in all seriousness to make that motion tonight because I believe that the administration which will have the responsibility of the foreign affairs of this country for at least the next 4, and perhaps the next 8, years, and perhaps the next 20 years—we do not know—should have an opportunity to look at a treaty which so fundamentally affects the position of America throughout the world.

I am delighted to hear my distinguished friend say what he did, if I interpret his statement correctly. I wish to ask him if he thinks that is a sound motion, a good motion, and one that ought to be supported by this body?

Mr. DODD. Yes. I am very glad that my friend and colleague has asked the question, because if there is any doubt about my position or attitude, I want it made clear.

Of course, I agree.

I think if we had that much time, until January 25, as I think the Senator has suggested, to see how things go, to see how the aggressors in the world behave, and to consider our posture with respect to them, it would be wise.

There is a haste about this matter that appears unseemly—6 weeks of negotiations, followed by rushing this matter to the floor of the Senate when we have only just convened. I have learned to be careful about what one says around here. Some people take deep personal offense at what is said. But perhaps something else is involved. A civil rights amendment cannot be attached to a treaty.

In any event, I do not have the feeling that our colleagues have taken hold of this issue. I do not think our people have. The front pages of the newspapers are filled with pictures of the

candidates and how we are acting with respect to them, but no one is talking about a treaty that may well affect the lives and fortunes of decency in the world for all time. So, of course, I would be for any postponement that would give us some time and some opportunity for further reflection.

Mr. ENGLE. Mr. President, will the Senator yield further?

Mr. DODD. Of course.

Mr. ENGLE. I appreciate the Senator's remarks, the fine speech he has made today, and the fine speech he previously made on this same subject.

I observed that the Senator called particular attention to article XII of the treaty.

Mr. DODD. Yes, I did.

Mr. ENGLE. Article XII provides, in part:

The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX.

Mr. DODD. Yes.

Mr. ENGLE. The treaty provides who are to be the participating parties. One is Soviet Russia.

Mr. DODD. Yes.

Mr. ENGLE. Does that not mean to the Senator that unless Soviet Russia consents, the treaty cannot, in its duration, be modified?

Mr. DODD. That is precisely correct.

Mr. ENGLE. Of course it does.

Mr. DODD. That is correct.

Mr. ENGLE. Let me read another section.

Mr. DODD. I interrupt the Senator to say that this is a typical veto power again reposed in the Soviet Union, which I think has an almost unbroken record of abuse of such power.

Mr. ENGLE. Of course. We are asked to create again a Security Council situation in which the Soviet Union by its unilateral voice can deny the will of all others.

Mr. DODD. That is right.

Mr. ENGLE. There are 12 parties to the treaty. Eleven of them could agree on a modification. I have a copy of the treaty in my hand. The 11 parties could agree, and the Soviet Union could veto the agreement.

Mr. DODD. That is correct.

Mr. ENGLE. Let me go one step further, to be sure the RECORD is clear. In article XI it is provided:

If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation.

How well we remember the negotiation in Korea.

Mr. DODD. Yes.

Mr. ENGLE. In Warsaw.

Mr. DODD. It is still going on.

Mr. ENGLE. In Geneva, and in Paris.

Mr. DODD. The negotiations are still going on.

Mr. ENGLE. "Inquiry, mediation, conciliation, arbitration, judicial settle-

ment, or other peaceful means of their own choice." It is not the choice of anyone else, but "their own choice."

Mr. DODD. Yes.

Mr. ENGLE. That means the treaty will exist in perpetuity.

Mr. DODD. Yes.

Mr. ENGLE. Unless the Soviet Union agrees to a modification.

Mr. DODD. Yes.

Mr. ENGLE. I have one other point. I ask the Senator if he agrees that the treaty provides that the effects and purposes of the treaty shall be forwarded by unanimity among the 12 signatories?

Mr. DODD. Yes; it does.

Mr. ENGLE. That raises another question.

Mr. DODD. It raises a very serious question.

Mr. ENGLE. Let me raise the question specifically. Let us assume that the Soviet Union undertakes to orbit a satellite in the Antarctic. We might say, "That is not a peaceful act, because it has a purpose of reconnaissance of the military installations throughout the free world." The Soviet Union might say, "Oh, all we are doing is looking at the moon, and it is not going to bother anybody."

A dispute would then arise between 2 of the 12 signatories—namely, the United States of America and the Soviet Union—as to whether the satellite which the Soviet Union orbited was in fact a peaceful satellite or was in fact a satellite with a military implication.

Who is to decide that question? Who is to decide the dispute? I will tell Senators who would decide it. It would be decided by "peaceful means of their own choice."

Mr. DODD. That is correct.

Mr. ENGLE. Oh, yes. We have been all through that. We went through it in Korea. We went through it in Warsaw. We went through it in Geneva, as to disarmament. We have been through it in Paris, and elsewhere.

What would the treaty do? It would invest the Soviet Union, which has no rights whatsoever in the Antarctic, with the right to veto the action of the 11 other signatories of the treaty. That is what it all amounts to.

Mr. DODD. Yes.

Mr. ENGLE. Antarctica is an area as big as the continental United States plus all of Europe.

I say that this is a matter which is very significant. The treaty provides for a 30-year duration, and beyond that, because it cannot be modified except by unanimous agreement.

Mr. DODD. There is no escape clause whatever.

Mr. ENGLE. None whatsoever. The great area would be subject to the veto of the Soviet Union. I cannot imagine the United States of America, with the experience we have had in the past few weeks, entering into a treaty of this sort.

I compliment the Senator for his great speech. I hope that the Senate will refuse to ratify the treaty.

Mr. DODD. Mr. President, I am deeply grateful for those comments.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I will yield in a moment to my distinguished friend from Louisiana.

Mr. President, I think I should say to the distinguished Senator from California that no one has made a greater contribution to the consideration of this matter than he has. It has been encouraging, and it has been great. My only fear is that not enough Senators have heard the Senator from California, and not enough people have had an opportunity to read his remarks. Perhaps this is an unfounded fear, and things will work out on the right side.

Mr. President, I now yield to a great and distinguished man, my colleague and friend the Senator from Louisiana.

Mr. LONG of Louisiana. I thank the Senator.

Mr. President, I compliment the Senator upon an extremely learned explanation of this problem. I say to the Senator, as one member of the Senate Committee on Foreign Relations, that I did not have sufficient opportunity to study this subject. The Senator recalls that we had many committees meeting at the same time that the Senate was meeting, during the closing days of the session of Congress, prior to the holding of our great national conventions.

Mr. DODD. I know.

Mr. LONG of Louisiana. As one member of the committee, it was impossible for me to attend the meeting of the committee as well as all the other meetings that were going on simultaneously.

I must say to the Senator that he has presented problems and has raised questions of which certainly this Senator had no knowledge whatever. One point which particularly impressed me about what the Senator has had to say is that the treaty was negotiated in 1959.

Mr. DODD. In 6 weeks.

Mr. LONG of Louisiana. As I recall, that was a few weeks after Mr. Khrushchev was in America telling us how much he loved us.

Mr. DODD. Yes.

Mr. LONG of Louisiana. He was not talking about blowing us up with rockets at that time.

Mr. DODD. No. All was sweetness and light then.

Mr. LONG of Louisiana. Someone at that time might have felt, "This is a good time to see if we cannot work with this fellow, and cooperate."

Since that time the Russians have really shown us the mailed fist, down to the simple basis that if we are not careful about what we do they are going to "blow us off the map."

Mr. DODD. That is correct.

Mr. LONG of Louisiana. In the next day or so I believe the Russians will open the so-called spy trial in the case of the pilot, Powers, whom the Russians shot down.

Mr. DODD. Yes.

Mr. LONG of Louisiana. Which gave Mr. Khrushchev an excuse to wreck the summit conference and to rattle his rockets around the world.

Mr. DODD. Yes. There is no question about that. I will say, in response, that at this time I am deeply grateful to have the support of a man like the Senator from Louisiana.

In the Senate I suppose it can be said of us that we are inclined to be complimentary to each other and to preserve the complimentary formalities, but conscience compels and the truth requires that men speak frankly on occasions, particularly when they are moved by encouragement of the sort I have just received.

I honestly say to my friend, and to my colleagues, that I have never received a higher compliment since I have been a Member of this body than to have the thoughtful, reflective, considered support of the Senator from Louisiana on a matter of this kind. I am deeply grateful. I think ultimately the Senate itself will see the situation as he and I see it.

Mr. LONG of Louisiana. Mr. President, I feel that the Senator is entitled to a much higher compliment than I am capable of bestowing upon him, with regard to the presentation he has made to the Senate. I simply wish to say, as one member of the Committee on Foreign Relations, that I was willing to have the treaty reported, but I was aware there was objection to its ratification. I think the basis of the objection certainly makes the case, and at a minimum we should postpone consideration of this matter until we have had a chance to think about it.

Mr. DODD. That is correct.

Mr. LONG of Louisiana. That is the very minimum. The whole thing should be the basis of sober reflection and thought. After all, the Antarctic is a very big area.

Mr. DODD. It is vast in extent. It is bigger than the United States and Europe put together.

Mr. LONG of Louisiana. It is a very substantial part of the entire globe.

Mr. DODD. Yes; it is.

Mr. LONG of Louisiana. We may find ourselves in a situation somewhat like the Potsdam agreement. There was nothing wrong with the agreement, but the only trouble was that the other fellow did not keep his end of the bargain.

Mr. DODD. That is precisely the situation.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. ENGLE. The trouble with the Potsdam agreement was that there was no automatic enforcement of it. The Soviets could violate it; the Soviets did violate it. Harry Truman made the statement that he would never again enter into an agreement with the Soviets, on the basis of their conduct on that agreement.

Mr. LONG of Louisiana. Can the Senator inform me as to the self-enforcing provisions of this agreement?

Mr. ENGLE. Yes; let us hear about them. What are they? There are none.

Mr. DODD. That is the answer, of course. This is one of my great complaints about the treaty. There are no

self-enforcing provisions. There is no escape clause. There is no release clause. We would be caught in this agreement in perpetuity. I am sure a fair reading by any open-minded person, and particularly anyone trained to study legal terms, would lead to the inevitable conclusion that this treaty would in practice, be binding forever on us, and that we would remain in it unless we desired to get out of it by violation. This is why I said earlier that I find it difficult to comprehend the argument of my colleagues that it would be better for us to ratify the treaty, because we would be in a better legalistic position.

This argument is sophistry, I think. I do not mean that my colleagues were being intentionally evasive or deceptive, but rather I mean that they fell into error in that line of reasoning.

This is a harsh treaty, and it would bind us into a situation, once we get into it, from which we could extricate ourselves only by force, practically, by breaking it.

I am sure the Senator will agree, and other Senators who are here will agree, that this is contrary to the wishes and the intentions and the established habits of our people and all other free people in this world. We do not want to get into a situation that we can only get out of by violating some agreement. It is far better, I believe, to advise us not to get in to begin with, to wait a while, to take a look.

The Senator from Louisiana was reared in a State not unlike, in many respects, the one in which I was reared. The people of our States have a simple faith in words, and when one gives his word, he keeps it. When a nation gives its word in a treaty, it ought to be prepared to keep it, and we ought to know well in advance what kind of word it is that we must keep. That is what I do not think we are doing here.

Mr. LONG of Louisiana. Did not our present President, as well as President Truman, advise us that it would not be wise to make any agreement with the Communists unless the provisions were self-executing and self-enforcing?

Mr. DODD. Yes. That raises an interesting question which I have thought about. I wonder if my colleagues have thought about it also. It occurred to me the other night, thinking about this subject, that after a man has been in the Presidency from 4 to 8 years, he seems to become very knowledgeable about the threat of communism.

The present occupant of the White House, I say with great respect to him, for he is a great man, has learned the hard way from all the abuse and the terrible treatment to which he has been subjected. He knows now what it is all about if he did not know before. He knows now.

I have had the privilege of talking with former President Truman, as I am sure my colleagues have. He has told me time and again that we cannot trust the Russians for a minute. They will break their word every time it is in their interest to do so.

So, of course, the Senator is correct. This is one of the strange things about our times.

I am perplexed and intrigued that on all sides we are told that the Russians are people we cannot trust. They will break their word. They are out to destroy us. Yet all the time somebody is saying, "Let us have a new chance to do business with them." This is contrary to all human experience. It is contrary to all logic. It is contrary to all good sense. It is unprecedented folly. The experience of persons is the only experience worth anything, and the experience of nations is the experience of persons. If I or my colleague enters into an agreement with a man and he breaks his word, he abuses me, he tries to murder me, he tries to destroy me, is it sensible to suggest to me that I should enter into more agreements with him?

I only refer to this question in passing, but it is an oddity of our time, and I find myself perplexed and saying to myself, "Is there something wrong with my mind? Have I gone off the track somewhere? Is everything that I was taught changed in the world?"

I was brought up to believe that if a man lied to me and broke his word, I should not have anything more to do with him. One kept away from that kind of fellow, particularly if he tried to burn down one's house, shoot his wife, and murder his children. But now we have entered into a time when it has become a custom, a habit and a fashion to say, "Well, now, after all, you had better go back and do some more business with these people."

This is what I say is ailing us. How will we straighten ourselves out? I do not know the answer to that question. I wish I had the wisdom, the judgment, and the ability to know. But I do know, and I am confident that the great Senator from Louisiana knows, that the course that is suggested by this treaty would only lead us into more trouble, into more difficulty and into more problems.

So I join with the Senator from California [Mr. ENGLE] in urging our colleagues not to ratify this treaty. Let us wait at least until the new year, and at least until we have a new President, as has been suggested, whether he be of the Republican Party or of the Democratic Party. Both candidates are great Americans. They are devoted to this country. Give us some time. Do not rush us into this situation under the conditions in which we find ourselves.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. DODD. I yield.

Mr. LONG of Louisiana. The Senator from Connecticut well knows, does he not, that the treaty is not binding upon nations that are not signatories?

Mr. DODD. Yes; I do.

Mr. LONG of Louisiana. This Nation has no satellites that we could send down there to exploit the Antarctic. The Philippine Islands are not satellite to the United States. We gave that country complete independence. The South

American nations are independent, and while they cooperate with us today, they are certainly not controlled by this Nation.

There are no nations on this earth that we can call upon to undertake risky enterprises because it might be to the interest or the advantage of the United States.

Is it not true that there are a number of Communist satellites—the Communist Chinese, the Poles, and many others—who under their national flag could even send Russians in?

Mr. DODD. Yes; there is Czechoslovakia.

Mr. LONG of Louisiana. There are Czechoslovakia, Hungary, Bulgaria, Rumania—all nations that could send even Russians in under their own satellite flag and proceed to mount missile bases.

Mr. DODD. Yes.

Mr. LONG of Louisiana. And while we could not do it for ourselves, while we could not even put a tracking station down there to see where they were flying those missiles, we would not be in position to say they had violated the agreement?

Mr. DODD. Yes.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. ENGLE. The Senator from Louisiana has made a very fine point. We have 12 nations in this treaty. There is 20 percent of the Antarctic area with respect to which no one has made any claims. Let us assume that the Soviet Union says to one of its satellites, "Go down into Antarctica and establish a missile base." Then what happens? The treaty provides that the 12 nations which have arrogated to themselves the responsibility for this area will collaborate to keep everybody else out. But what about the nation that comes upon the 20 percent of the area that is not the claimed area of any single nation?

Mr. DODD. What the Senator says is true.

Mr. ENGLE. Of course, the people of that nation will undertake their activities. Then the question will come up in a 12-nation conference, because the 12 nations will get together.

The Soviet Union will say, "We cannot quarrel with these people. They are in an area unclaimed by any nation on the face of the earth, and unclaimed by any signatory to this treaty." How can we argue against that?

What happens? They set up a missile base. They can send up a satellite missile and they can do anything they want to do. Under the treaty, what position are we in? The area is demilitarized. We cannot set up a base which will counteract a base set up by a Soviet satellite nation. Further than that, under the terms of the treaty, we are subject to inspection by the Soviet Union itself. The Soviet Union then inspects us to see to it that we are neither countering the base of their satellite country nor setting up a passive defensive system, to learn what is going on. Their satellite

country proceeds to go about its business. Does anyone raise any question about it? If anyone does, the Soviet Union cites article XI and says, "We will negotiate with you."

Mr. President, they will negotiate with us, as they did in Korea, as they did in Warsaw, as they did in Geneva, and as they did in Paris, and as they have done in every other place when they have negotiated with us. They are willing and able to negotiate with us year in and year out. It is perfectly ridiculous. This is a stupid treaty. I hope the Senate will repudiate it.

Mr. DODD. The Senator from California knows that the Soviets go on and on, endlessly, negotiating every legitimate question with us. We are still negotiating with them in Geneva. We are still negotiating with them for the return of American civilians. I have a constituent in New Britain, John Downey, who has been in Communist China for 8 years. Our Ambassador and their Ambassador at Warsaw have been negotiating fruitlessly for 8 years.

How long did it take the Soviets to agree to this treaty? Six weeks, 42 days.

Mr. ENGLE. They knew that the treaty was to their advantage.

Mr. DODD. They knew what they were getting. They understood that what they were getting was what I described earlier as an incredible bonanza.

There is another reason why I oppose this treaty.

I think most Americans share my belief that Communist governments wherever they exist are criminal regimes, born in criminal actions and maintained only by force and terror. They can in no moral sense be considered legitimate governments entitled to the respected status which we accord the governments of the free world.

Because of the fact that Communist governments control a large portion of the earth's surface and people, because of the necessity to take all reasonable steps to avoid war, we have been compelled to accord many Communist regimes the diplomatic trappings of legitimacy and respectability. I assume that we have done so because our leaders felt that we had no alternative.

Must we now, however, bring Communist Russia into a new area of the world and feed its pretensions to legitimacy and prestige by according to it the same status and giving it the same rights that we give to lawful free world governments? To do so is to deny the fact that the Government of Russia is a criminal conspiracy which has no legitimate rights anywhere that decent men and women should honor. To do so is to help spread the disease of communism. To do so is to perpetuate the fallacy that a gangster regime is a lawful government.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. DODD. I should like to finish this point, if I may. We would be feeding the pretensions of communism to legitimacy. We would be giving it rights which should be extended only to legal, decent governments. Is that not what

we would be doing in this case? If they are criminal and maintained by crime and are illegitimate, is there any reason for needlessly legitimizing their jurisdiction in a new area of the world in which they have had no status up to this time? It does not make any sense to me to do so, if the free world means what it says when it says that we cannot trust Communist governments, that they are criminal states, that they are tyrannical and brutal, and are controlled by terror and violence and crime. Under those circumstances, how can we face our fellows in the society of nations and urge them to enter into this kind of agreement? Have we not had enough? Do we want to spread the disease of communism even to the penguins? It is about time we thought of these things.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. ENGLE. The Senator did not say so directly, but he did state it inferentially, and dealt with it in that manner, because in the draft of his speech this is what he said—and this is fine language:

The report of the Senate Foreign Relations Committee argues that, "the treaty does not create a Soviet presence in Antarctica, but merely deals with an existing situation."

Then the Senator goes on to say:

This, I am afraid, is a half truth, which completely circumvents the question.

Of course it does. What they are saying is simply, "Lie down and die, because they are there anyway."

Mr. DODD. That is correct.

Mr. ENGLE. Then the Senator goes on to say:

If the claims of other nations and the rights of the United States in Antarctica have any validity at all, then the Soviet Union has been carrying on its International Geophysical Year at the bottom of the world on the basis of a kind of visitor's visa. The effect of the Antarctica Treaty is to grant the Soviet Union full citizenship, so to speak in perpetuity.

That is what the Senator said. He told the truth.

Mr. DODD. I believe so.

Mr. ENGLE. They are now hanging on in Antarctica by their eyebrows, by their eyelids, by their fingertips. On the basis of what the Committee on Foreign Relations has done, they are granted full citizenship in Antarctica, nullifying everything ever done by Adm. Richard E. Byrd and all the others, vacating our claims, and putting the Russians on an equal basis with us. In the Far West we would say we are dealing them in on a draw poker hand with no pairs. That is precisely what we are doing. I cannot vote for the treaty, and I will not vote for it.

Mr. DODD. I am happy to hear the Senator say so.

Mr. ENGLE. This is one of the most flagrant things that has ever happened to America.

Mr. DODD. I believe so.

I do not know whether the Senator from California was in the Chamber

when I tried to point to what seems to me to be a situation of recurring frequency which is alarming. We are often confronted with situations, similar to the situation in which we find ourselves now, where we are constantly told, concerning Communist entry into new areas, "This is a fact. This is a realistic situation. Let us face up to it. We cannot change it except by war."

Anyone who rises to suggest another course of conduct is marked down usually as a warmonger, a fellow who wants to start a war, or as an utterly unrealistic person who will not face the facts. This is a habit of thought which has been growing in our midst.

Speaking without notes, and not from studied recollection, I think I may say that I do not recall a situation in my lifetime when we were faced with only those two alternatives. We are not so faced tonight. Our friends on the other side of the question urge us to ratify the treaty, and have been doing so over and over again.

We do not need to say, over and over again, how much we admire our colleagues. We do admire them. The Senator from Wyoming [Mr. McGEE] is a very competent Senator. I read his speech carefully, because I was unable to be present when he delivered it. Time and again he stated that "the harsh fact is that the Soviets are there."

Mr. ENGLE. But they are not equal. Under the treaty, the Soviet Union would be made equal. Moreover, they would be given a veto over the 11 nations, 7 of which have legitimate claims and rights in Antarctica.

Mr. DODD. That also is true. I am glad the Senator from California has reminded me of that. The Soviet Union is in Antarctica on a visitor basis, so to speak. We are told that they moved in. I do not want to go into the whole history of the International Geophysical Year, how it got started, and how it ended up, where we are tonight. Nevertheless, I think we cannot escape the fact that it certainly must never have been contemplated that once we invited them in they would stay forever. Yet that is what we are being told. We are being told that the Soviets are our guests in Antarctica and that we cannot get rid of them unless we want to punch them in the nose. Polite people do not do that, so we are told that we had better abide by the rules, get along with them somehow, and give them an equal status in the household.

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. One point which concerns me is the submission of these questions to the International Court of Justice. The Communists live by a different standard of morals than we do.

Mr. DODD. The Senator is so right.

Mr. LONG of Louisiana. I have morality particularly in mind. According to their own pronouncements, those

acts are moral which promote the spread of the Communist world of influence.

Mr. DODD. That is correct.

Mr. LONG of Louisiana. In fact, that is their definition of "truth."

Mr. DODD. I am sure it is.

Mr. LONG of Louisiana. Truth is that statement which advances the spread of communism. Accordingly, by their standard, what we say is true would be a lie to them if it did not spread communism.

Mr. DODD. That is correct.

Mr. LONG of Louisiana. Based on their standard of morality, the meaning of the word "truth" is different to a Communist. It would be to their advantage, every step of the way, to be diffusing lies and deceptions under this agreement. This would give them an opportunity to take full advantage of us by lying and breaking the agreement, while at the same time attempting to hold us up to scorn.

The Senator will recall the charge which they made against us with respect to germ warfare in Korea. The United Nations proved that it was a canard. Nevertheless, it was necessary for us to go to great trouble to prove that the Communists had lied.

Under this treaty, no one can say how or where the Communists would victimize us, world without end, through the use of their satellites.

Mr. DODD. The Senator has raised an important point. The point I make may be considered extraneous, but it raises a question I find to be of great interest. I refer to the great controversy about the World Court. I was privileged at one time to be engaged as a lawyer before an international tribunal. I believe that some day—I hope the day will come soon—we can have a world situation in which there can be a true world court, a court in which disputes between nations can be resolved by judicial process. We all want this to take place. We pray for it and ardently hope for it.

I am certain in my own mind that one of the primary, fundamental conditions for such a situation, in a juridical sense, is that there be a common political denominator in such a court. It is not possible to have a court which is half Communist and half free, and expect to get any kind of decision from it which is worth the paper on which it is written. I find myself, at times, out of patience with good intentioned friends who say that all the problems in the world could be solved if we would simply agree to submit all our differences to a world court. That is not enough. It will have to be a world court constituted of men who have a common basis for their jurisprudence. This point is seldom discussed.

In a certain sense, in this country we have a federation of 50 States. What is the common political denominator? The Constitution guarantees to every member of the federation a republican form of government, so-called—and "republican" is spelled with a small "r."

I say that if there is to be a world court, and if it is ever expected to get

any justice from such a court, there must be guaranteed a common juridical denomination. I believe that some day this will come about. However, great changes will have to take place in the world, and those changes will not occur by making concessions, by displaying weakness, by surrendering, by giving up values and rights which will preserve freedom. By doing this we will only increase the strength and the ability, in a sense, of the aggressor Communist forces in the world.

It seems to me that that is really another side of the question. It is a matter of grave concern in this whole consideration. I said earlier, and I suppose I have said it three or four times on the floor tonight, but I feel very deeply about it, that if the American people really understood the issues which are being debated here, I have no doubt how they would decide. But this is a difficult time. I think one of our tasks in the Senate is to have an issue of this kind thoroughly discussed and completely debated, so as to give the people of the country an opportunity to comprehend what is at issue and what is at stake. I know we have tried to do that.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Connecticut yield to me, with the understanding that he will not lose the floor?

Mr. DODD. I yield to the Senator from Texas with that understanding.

PROGRAM FOR WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, many Senators are inquiring about our plans for the remainder of the evening. I should be glad to ask the Senate to remain in session until the distinguished Senator from Connecticut concludes his address and any other Senators, including the distinguished Senator from Kansas [Mr. CARLSON], who may desire to address the Senate, conclude their addresses.

In order that all Senators may be on notice as to when to expect a vote on the treaty, I should like to propose, after consulting with the distinguished minority leader and the distinguished senior Senator from Georgia [Mr. RUSSELL], who desires to speak on the subject tomorrow, a unanimous-consent agreement: That is, that when the Senate concludes its deliberations today, it stand in recess until 9:30 o'clock tomorrow morning; that there be the regular morning hour; and that at the conclusion of the morning hour, there be not to exceed 3 hours of discussion on the treaty, 2 hours of which would be reserved for the senior Senator from Georgia, and 1 hour to be allotted to any of the proponents of the treaty who might desire to speak.

Under the proposed agreement, any Senator who wished to speak, pro or con, as he desired, could speak this evening; and any Senator could speak briefly in the morning hour tomorrow.

The senior Senator from Georgia expects to use about 2 hours for his speech and any questions or interruptions which may occur during his delivery. That would bring the time for the vote to

approximately 1 o'clock tomorrow afternoon.

Mr. ENGLE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. ENGLE. I desire to make a motion to postpone the final consideration of the treaty until January 25, 1961. Do I correctly assume that such a motion would be in order? I assume it would be, according to advice I have received from the Parliamentarian. I was trying to ascertain whether the unanimous-consent agreement would apply not only to the final action on the treaty but also to all motions relating to the treaty.

Mr. JOHNSON of Texas. Would the Senator from California desire to have some time in connection with his motion?

Mr. ENGLE. I think 15 minutes on each side would be ample.

Mr. JOHNSON of Texas. Mr. President, I will add 30 minutes to the request, and make the total time 3½ hours.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I want to be certain that the Senator from Kansas [Mr. CARLSON], who is a member of the Committee on Foreign Relations, and the Senator from New York [Mr. JAVITS] may be assured that each of them will have 10 minutes. And I believe that perhaps 10 minutes should be reserved for the minority leader.

Mr. JOHNSON of Texas. Very well; then we shall arrange for 4 hours.

The PRESIDING OFFICER (Mr. JAVITS in the chair). Is there objection?

Mr. RUSSELL. Mr. President, let me suggest that the Senator from California [Mr. ENGLE] might make his motion immediately at the conclusion of the morning hour, and then we could vote on the motion. If the motion were to carry, no further time for debate would be needed.

Mr. JOHNSON of Texas. I would have no objection to that.

Then, under the unanimous-consent agreement, following the morning hour, 30 minutes would be allotted in connection with the motion of the Senator from California [Mr. ENGLE], with 15 minutes thereof to be controlled by the proponent of the motion, the Senator from California, and 15 minutes to be controlled by the majority leader; and following the vote on that motion, there would be not to exceed 3½ hours for further debate on the treaty.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none; and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Wednesday, August 10, 1960, after the conclusion of routine morning business, during the further consideration of the Antarctic Treaty (Ex. B, 86th Cong., 2d sess.), debate on a

motion to be offered by the Senator from California [Mr. ENGLE] to postpone further consideration of the treaty until January 25, 1961, be limited to 30 minutes, to be equally divided and controlled by the Senator from California [Mr. ENGLE] and the majority leader: *Provided*, That in the event the motion fails to carry, further debate on the treaty shall be limited to 3½ hours, to be divided, as follows: 2 hours, to be controlled by the Senator from Georgia [Mr. RUSSELL] and 1½ hours, to be controlled by the majority leader.

Mr. JOHNSON of Texas. Mr. President, the Senate will remain in session this evening for so long as may be necessary in order to suit the convenience and pleasure of Senators, but we do not expect any votes to be taken this evening.

MEETING OF FINANCE COMMITTEE DURING THE SESSION TOMORROW

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the Finance Committee may meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I assume this has been cleared with my distinguished friend, the minority leader.

Mr. DIRKSEN. Yes; it is all right. The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE ANTARCTIC TREATY

The Senate resumed the consideration of Executive B (86th Cong., 2d sess.), the Antarctic Treaty, signed at Washington on December 1, 1959.

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. DODD. Mr. President, I yield the floor.

The PRESIDING OFFICER. Does any other Senator now seek recognition?

Mr. JOHNSON of Texas. Mr. President, let me inquire whether other Senators desire to address the Senate at this time.

Mr. BYRD of Virginia. Mr. President, I desire to make a brief address on the pending issue.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, I shall vote against the pending Antarctic Treaty because, by its nature, it is certain to be bad for the United States, good for Russia, and contrary to the best interests of free nations in the world.

It would freeze into uselessness the hard-earned bases for U.S. claims on the polar continent, and leave the Russians free to overrun areas to which they have neither rightful nor earned access.

Ratification would legalize a dangerous and unjustifiable windfall for the Soviets, at the expense of the United States and seven other free nations

which have legitimate bases for territorial claims.

This treaty proposes that 12 nations solely by virtue of participation in the recent International Geophysical Year shall determine for the indefinite future how this vast continent is to be used.

Among these 12 states is Russia, which never took any active interest on Antarctica until the Geophysical Year, when it squatted on territory claimed by Australia, and refused to leave when the year was over.

Since the recent development of this sudden interest, the Soviet Government has established five Red stations in Antarctica, without regard for the bases of claims already established by other nations.

The Soviets are bringing in their satellites, Poland and Czechoslovakia. They are mapping great portions of the continent. They have named and renamed more than 800 geographical locations.

And in support of these penetrating activities, the Soviets are operating numerous ships and icebreakers capable of conversion into support of military operations dangerous to the Southern Hemisphere.

Russia has no valid basis for a claim in Antarctica. On the other hand, the United States has more valid bases for territorial claims on the continent than does any other nation.

Why the U.S. State Department should initiate such a treaty is not adequately explained. The fact that the Soviets want its ratification should be warning enough as to whose interests would be served.

I am completely sympathetic with the wish that Antarctica could be used now for constructive scientific investigation and other peaceful purposes. But with Russia as a signatory, this treaty will hurt, not help.

We would be utterly foolish to think that the Kremlin would ever honor any of the utopian provisions of this proposal unless they could be used to serve Communist objectives.

Even from a cursory analysis of the 14 articles of the treaty, it is easy to see what lies ahead; and I cannot escape the conclusion that Senate consent had better be withheld.

Article I says Antarctica shall be used for peaceful purposes only; but military personnel and equipment would be allowed in support. There is little doubt as to how the Soviets would comply with this provision.

Article II says freedom of scientific investigation applied during the Geophysical Year shall continue. This would license the Soviets to roam the continent, unrestricted by interests and claims of others.

Article III says scientific information and personnel shall be freely exchanged. From experience, we have reason to expect that the Communists will take more than they give.

Article IV says the treaty would cause no nation to renounce existing claims;

but no act under the treaty shall be used as basis for asserting, supporting or denying claims; and there shall be no new claims.

The practical effect of this over the years would be to erode the prior bases for claims by the United States and others who honor the treaty, and to strengthen the new positions of the Soviets, who would exploit it.

Article V says that, pending subsequent international agreements with applicable provisions, nuclear explosions and disposal of radioactive waste materials in Antarctica would be prohibited.

We have every reason to expect that Soviet Government compliance with such a treaty provision as this would depend upon its suitability to Communist purposes and convenience.

Article VI would fix the geographical limits covered by the treaty. They would extend south of latitude 60, including the ice shelves, but excluding the high seas.

Article VII says the contracting nations shall have the right of inspection of each other's ships, aircraft, stations, and so forth, and the right of inspection by overflight.

Antarctica is a difficult, isolated area of 6 million square miles. Perhaps the probable effectiveness of inspection there can best be measured by the fact that the Soviets are not objecting.

Article VIII says persons in the area would be subject only to the jurisdiction of the country of which they are nationals. No one would change this, but it raises questions as to effective treaty enforcement.

Article IX provides for meetings of the treaty parties for consideration of recommendations furthering the principles and objectives of the treaty, but their adoption would require unanimous approval.

Surely, in these international organizations, we must protect our sovereignty by some means such as the unanimous-consent requirement; but how can we expect anything but destructive veto from Russia?

Article X says that, consistent with the United Nations Charter, the contracting parties would undertake to see that no one engages in activity contrary to the principles and purposes of the treaty.

There are, of course, United Nations Charter provisions for all member nations to band together to put down aggressors. But we have seen the vast difference between agreeing to these things and getting them done.

Article XI says effort would be made to settle disputes among parties to the treaty by negotiation, mediation, arbitration, and so forth. The alternative would be submission to the International Court, if disputants consent.

Article XII provides that the treaty could be modified or amended at any time by unanimous consent, and that after 30 years it could be changed by majority vote.

Article XIII would open the treaty for accession, or admission, by any state which is a member of the United Nations, and any other nations unanimously invited to accede.

Article XIV would authorize translations and official depositories for copies of the treaty.

These are highminded words. But Joseph Stalin said such "words have no relation to deeds." The U.S. Department of State must know the Soviet attitude toward treaties is still unchanged.

Ratify this treaty and the Communists will reap immeasurable benefits to the irreparable loss of the United States and seven other nations—all of them bulwarks of the free world.

Involved with the United States as nations with substantial bases for Antarctic claims are Chile, Argentina, Great Britain, France, Norway, New Zealand, and Australia.

But the State Department was not satisfied to limit this Antarctic Treaty to nations with substantial bases for Antarctic claims. Such a treaty could have been founded on international law.

Instead, for reasons which seem best known to the Department, it brought in also Soviet Russia, the Union of South Africa, Japan, and Belgium, and gave Geophysical Year activities in the Antarctic as the reason.

The purposes of the Geophysical Year activities are not minimized, but under the theories and principles of international law they do not justify participation in a treaty such as this.

A State Department expert testified before the Senate Foreign Relations Committee that "freezing" claims and bases for claims in Antarctica for an indefinite period would preserve the status quo.

Preserving the status quo is a rare achievement in foreign relations even under good conditions. Where Communists are involved, to depend upon preservation of the status quo would be dangerously unrealistic.

Of course, the Soviets in recent years have claimed everything north of the South Pole on the grounds that a Russian naval officer, about 1820, sighted two islands off the Antarctic coast.

Actually, since that time the Russians paid no attention to the frozen continent until after the end of World War II, and they did not move in until the Geophysical Year opened the door.

The facts are that Russia has neither claims nor basis for claims in Antarctica, and therefore has no concern about the provision in the treaty which would preserve the status quo.

But Russia would be the treaty's principal beneficiary, because it would legalize her access to the whole continent for the reason that she participated in Antarctic activities of the International Geophysical Year.

On the other hand, it was an officer of the U.S. Navy who first identified Antarctica as a continent, in 1839, and American whalers and others had been

going to the area since the turn of the 19th century.

The schedule of expeditions from the United States to Antarctica has been long and continual. Our explorations have covered nearly 80 percent of the continental land area. Our contributions have been great.

We have established solid bases for assertion of sovereign rights over important areas by every accepted standard, but for some unexplained reason the State Department has never asserted our legitimate claims.

Now the State Department, with the status quo provision in this proposed treaty, would preclude the possibility that the United States might ever assert its just claims in Antarctica.

And this is not all. The proposed treaty would legalize Soviet trespass and occupancy of these areas, which might well become some of the most economically and strategically important points in the world.

I urge the Senate to reject this request for consent to the Antarctic Treaty. Instead of giving away the bases for claims to sovereign rights, we should start acting in this matter like the sovereign nation we are.

We should immediately assert our own rights; encourage other friendly nations with legitimate claims to assert them; and assist them in working out any overlapping or conflicting jurisdictions.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. ENGLE. I desire to commend and compliment the distinguished Senator from Virginia on a typically statesmanlike speech with reference to this issue. I say that because in the remarks which he has made he has refrained from any reference whatsoever to his distinguished brother, the late Admiral Richard E. Byrd, who, more than any other man, contributed to America's exploration and discovery in the Antarctic.

I think it is typical of the Senator from Virginia that, in his natural modesty and in the modesty that his family holds, in his prepared statement he did not even mention what his brother had done. I am perfectly sure that what his brother had done has not affected his views as a statesman and as an American as to what action this treaty should be accorded in the Senate.

But, Mr. President, I cannot refrain from saying that I knew Adm. Richard E. Byrd before I knew his distinguished brother who serves in the Senate, and whom I have come to know and respect and admire as a Member of this great body. Adm. Richard E. Byrd and I were close personal friends. We talked many times about Antarctica. I was interested in it a long time before this treaty came before the Senate of the United States.

I introduced legislation which would have preserved and put together and held in one place the documentary evidence, going back through all the years, including the efforts of Admiral Byrd and others, supporting American claims to American sovereignty in the Antarctic.

As a member of the House Committee on Interior, and as chairman of that committee, I asserted it was the responsibility of the Secretary of the Interior to list those lands in the Antarctic as public lands of the United States and to include them in the inventory of the public property of this country. I was diverted from that objective by the State Department, which insisted that I would rock the boat and upset the amicable relationships that were occurring with reference to the International Geophysical Year. Notwithstanding that effort, on two separate occasions I introduced legislation to implement a program that would have put in legal form and in one depository the basic evidence of America's claims.

I was shocked to learn that the evidence of those claims was scattered throughout all of the archives; that they were buried in the history of all these great adventures; that in no single place in America could we find a repository of the bases of America's claims in the Antarctic.

Admiral Byrd, before he died, autographed for me every one of the books he had written on his great adventures, great discoveries, and great expeditions throughout this world, and today they are prized possessions in my personal library.

So I can say something about it, I think, that the Senator from Virginia would not feel free to say; and I assert it is my firm belief that if Admiral Byrd lived today he would not be for this treaty. I do not assert that those remarks should apply to the Senator from Virginia. I am saying that on my own and from my personal experience and my personal relationships with a man whom I revered and admired as the greatest explorer of modern times.

I am delighted that the Senator from Virginia has taken the floor tonight in a statesmanlike way, wholly unassociated with personal relationships which must affect his thinking in this matter, and regardless of how he feels about it personally, as a Senator, has stated he opposes ratification of the treaty. I am glad, too, that the Senator from Virginia has said there is an alternative to ratification of the treaty, and that it is an assertion of America's legitimate claims in the Antarctic.

The Soviets are there with no right at all. We have let them in on an equal basis. We have given them a veto over the seven nations which have legitimate claims, as well as our own. We have put them in a position to veto the concerted action of the other 11 nations which have signed the treaty.

In addition, we have put the Soviets in a position to prevent any modification of the treaty until they see fit to change it. We have put them in a position to undertake activities in the Antarctic which involve questionable moves and to assert that they are peaceful in nature, and then to be the judge of whether those actions are peaceful.

There is nothing in America's experience in recent years which justifies us in doing this.

I say further that in a matter which vitally affects a huge continent—the last one on earth, really, which is unexplored and uninhabited—we should not be pressured into a decision in this extraordinary session of the Congress of the United States. That is the reason I intend to make a motion to postpone consideration of the question so that the next President of the United States, the next Secretary of State, and the next Secretary of Defense will have an opportunity to review these grave questions which have been raised by men of great repute in the Senate, as to whether America's interests will be truly served by what is sought to be done today and tomorrow.

Again I compliment the distinguished Senator from Virginia, a man whom I have learned to respect, to admire, and to hold in deep affection, as I did his brother, for the fine, statesmanlike statement he has made tonight.

Mr. BYRD of Virginia. I thank the Senator.

The PRESIDING OFFICER (Mr. JAVITS in the chair). What is the pleasure of the Senate?

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I yield to the Senator from Hawaii.

EAST-WEST CULTURAL AND TECHNICAL INTERCHANGE CENTER

Mr. LONG of Hawaii. Mr. President, one of the most effective supporters of the East-West Cultural and Technical Interchange Center, since it was first proposed, has been Congressman D. S. SAUND, of California. His testimony in support of the project before the Senate Appropriations Subcommittee recently was based, in part, upon his personal knowledge and experience in the area of Asiatic-American relations. The Honolulu Advertiser, in an editorial entitled "Support for Center," on July 8, 1960, called attention to Congressman SAUND's important testimony.

I ask unanimous consent that the editorial be printed at this point in the RECORD:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUPPORT FOR CENTER

India's strong ties with Britain have been cited as an example of why the United States should go all out for an East-West Center at the University of Hawaii.

California's Representative D. S. SAUND, a native of India, pointed the parallel in re-

cent testimony before the Senate Appropriations Subcommittee.

(The subcommittee subsequently recommended an appropriation of \$30 million for the Center.)

Most present-day leaders of India had rough experiences with the British in the days before Indian independence, Representative SAUND said. Some of them spent long periods in jail.

Despite this, these Indian leaders feel close to the British today. The reason: they were educated in England.

"We can accomplish the same result through the proposed East-West Center," the Congressman said.

Speaking on the heels of a tour of Asia and Africa, Representative SAUND said: "I am firmly convinced in my own mind that there is going to be no resolving of the issues between the free world and the Communist leaders as long as the leaders of international communism believe that they can win the peoples of Asia and Africa to their side."

But as he pointed out, there is much ignorance of the United States in Asia and Africa and likewise a complacent indifference among Americans to what other peoples think about them.

In Japan, Representative SAUND said he found many Japanese who think of every American as a millionaire. In India he found many people who could not believe—because of Little Rock—that there is not segregation in every State.

"It is high time that we do something to win the hearts and minds of the teeming millions of people who live on the continents of Asia and Africa," Representative SAUND said.

That's what the East-West Center is intended to do—what it will be able to do most effectively if the full \$30 million appropriation goes through when Congress reconvenes.

The support of enlightened men like Representative SAUND has brought the center close to realization and will enable Hawaii to play its full part in the service of the Nation.

SOVIETS' EAST-WEST CENTER

Mr. LONG of Hawaii. Mr. President, earlier this year, when the Congress was considering the establishment of an East-West Center in Hawaii, I called the attention of the Senate to the creation by Russia of a University of Friendship of Peoples. The Moscow institution seeks, in its own manner, to attract students from abroad so that they may be educated within the ideological framework of the Soviet system.

A brief report on the progress of the Russian university has recently been made by Dr. Benjamin Fine and printed in the Honolulu Advertiser for August 4. I ask unanimous consent that the article be reprinted at this point in the RECORD, and hope that it will give fresh reminder of the urgency of getting into operation our own East-West Center, authorized by the Mutual Security Act of 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIETS AHEAD IN TRAINING RACE

(By Dr. Benjamin Fine)

Soviet Russia has completed plans for its most ambitious effort to lure students from abroad—its unique, tuition-free Peoples'

Friendship University. It is scheduled to open October 1 and will cater to students from Latin America, Africa, and Asia. Applications for admission closed July 31.

Although the entering class is limited to 500 students, many times that number have applied, according to Soviet officials.

Prof. Sergei Rumyantsev, former Deputy Minister of Higher and Specialized Secondary Education of the U.S.S.R., has been appointed rector of Friendship University. A special admissions committee has been formed to go over the many applications. Final selections are to be made by September 1.

To be housed in Moscow University, the new institution for foreign students has been organized under the auspices of the Soviet-Afro-Asian Solidarity Committee, the Union of Soviet Societies of Friendship and Cultural Relations with Foreign Countries and the All-Union Central Council of the Trade Unions.

Most programs will be 4 years, with the exception of medicine, which will take 5. Training is to be free. Moreover, the Soviet will provide maintenance grants, free medical aid, hotel accommodations, and pay for the travel to and from Moscow. Every possible inducement is offered to make the foreign students want to come.

If some of the students are not quite qualified to enter Friendship University, they will get special help. A preparatory faculty is being formed to help students brush up on their academic work, and remove subject deficiencies. Foreign students may attend these remedial or preparatory courses up to 3 years.

The language barrier may prove to be a real one in many instances. Since all work will take place in Russian, and not many students outside the Soviet speak or write this language, this handicap could prove serious. The Soviets have thought of this, too.

All students will have 1 year of study in the Russian language, under specialists. It is hoped by the officials that at the end of the year, the foreign students will master enough of this difficult language to be able to attend lectures and do the necessary laboratory work.

According to Soviet plans, this will truly be an international university. The Soviets, through the Ministry of Higher and Specialized Education and the Committee of Youth Organizations of the U.S.S.R., have invited eminent scientists and scholars from various countries of the world, but particularly Asia, Africa, and Latin America, to serve on the faculty and participate in the building of this university.

Six separate departments or faculties as they are called have been established. They are:

1. Engineering: Emphasis will be placed upon building and operation of machines and mechanical devices, construction, prospecting, extraction and use of valuable minerals.

2. Agriculture: Emphasis upon agronomy and animal husbandry.

3. Medicine: Medicinal treatment and pharmaceuticals.

4. Physics, mathematics and natural sciences: The emphasis will be on math, physics, chemistry and biology.

5. History and philology: Here the stress will be on history, literature and the Russian language.

6. Economics and law: The emphasis will be on planning of the natural economy and international law.

To make it easier for foreign students, the examinations for admission may take place in their own countries. Or, if the students

wish, the exams may be taken at Moscow University.

Within 5 years, the Soviet officials have announced, the Friendship University will admit from 3,000 to 4,000 students. This will be a costly venture, as all expenses will be paid for by the Soviets. And it will also jam the existing higher educational facilities, already over-crowded beyond capacity.

But from the Soviet point of view this is a good investment in future relationships with other nations, particularly the underdeveloped ones in Asia, Africa and Latin America.

In a sense, this is the Soviets' own Marshall plan. By training engineers, economists, government leaders and scientists, Moscow, in a short time, will have thousands of Soviet-oriented men and women in high places in many parts of the world.

LARAMIE, WYO.—LYKES BROS. STEAMSHIP CO. SERIES ON CITIES OF THE UNITED STATES

Mr. McGEE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Wyoming.

Mr. McGEE. I wish to call attention to an article in a private publication entitled "Fleet Flashes" published by Lykes Bros. Steamship Co. It is another in their series of articles on cities of the United States. This particular article happens to be on my hometown of Laramie.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LARAMIE, WYO.

Laramie. It's a name that sounds off like a cowboy's whoop. The association is perfectly natural. Cowboys and cattle are a colorful part of this Wyoming city's past—and the occupation and industry still flourish in the area. Cattle is the agricultural mainstay in Albany County, of which Laramie is the seat. But with all the flesh-and-blood horses that have galloped the Laramie Plains, it was the iron horse that put Laramie on the map. Its founding can be traced directly to the building of the Union Pacific Railroad. Union Pacific engineers platted the townsite in 1868. Along with its part in Laramie's past, the railroad has traveled progressively through the years to continue today as a vital factor in the city's economy.

Another tremendous impetus to Laramie's present economic as well as cultural status in the State and the Nation was the establishment there 73 years ago of the University of Wyoming. Growing steadily in enrollment (now about 3,000 students during the regular academic year), plant facilities (47 buildings) and stature, its importance has increased in the same manner. Serving as the cultural and educational center of the State, the university maintains three principal functions—teaching, research, and service.

The University of Wyoming is comprised of eight colleges—liberal arts, agriculture, education, engineering, commerce and industry, pharmacy, law, and a graduate school. Training is offered in more than 400 specialized vocations. It also features the coolest summer school in America, with students coming from across the United States and from other countries to enjoy both the educational advantages and vacation features.

Among the major industrial plants are the Monolith Portland Midwest Co., which utilizes many of the local natural resources for the manufacture of cement and also produces sodium aluminate, a water purifier; the Forest Products Treating Co., one of the country's largest plants for treating ties, poles, and timber, the raw material coming from the nearby Medicine Bow National Forest, and the Great Western Aggregates, Inc., which produces expanded shale lightweight aggregates from local shale for use in concrete construction. The area also has oil wells and other mineral deposits being worked.

The Petroleum and Oil-Shale Experiment Station of the U.S. Bureau of Mines is located on the University of Wyoming's campus. This installation ranks as one of the most completely equipped experiment stations west of the Mississippi River, and is perhaps the largest in the world devoted to research of synthetic liquid fuels made from oil shale.

Sheep raising, while not nearly as large as it was several years back, is still a factor in the agricultural activity around Laramie. The rest of the agricultural picture is completed by dairy and poultry farms, and the raising of several crops, with hay—that part of the harvest which is not needed within the county for cattle feed—being the main cash crop.

This, then, is Laramie, Wyo., today—with a population of approximately 20,000, a modern elementary and high school system, up-to-date public library, churches representing almost every religious faith, and a council-manager form of government.

What is now Laramie was part of that fabulous Louisiana Purchase real estate deal in 1803 when Thomas Jefferson bought from Napoleon 885,000 square miles of territory for \$15 million.

Credited with being the first white man to appear on the scene was a French-Canadian trapper named Jacques La Ramie. You guessed it—he's the man they named the place for, a name that was also attached to plains, rivers, fort, county, peak, and mountains.

Indians were plentiful in the area in those early days. Blackfoot, Cheyenne, and Arapahoe and Sioux tribes were attracted by the fine timber in the region and the buffalo herds that used the Laramie Plains for their summer range.

Ben Holladay, the stagecoach king, started routing his westward-bound wagons through that territory in 1862, and it was reported that by 1864 some 18,000 emigrants had passed through.

Permanent settlement of the area began in earnest with the arrival of the Union Pacific. Because of good water, the railroad chose Laramie for a main division point and by 1880 railroad employment there had reached 400.

The first territorial legislature located the penitentiary in Laramie, and it was remarked that "probably no town in the West at that time stood in greater need for such an institution."

Laramie's first attempt at city government was a failure, the rough element in town forcing its resignation. This wild group ruled unchecked until a vigilance committee was formed to restore order. Their steps were directly to the point—the bad guys who weren't hanged were chased out of town.

The population took a drastic drop, but the solid citizens who remained rolled up their sleeves and soberly laid the foundations for healthy growth. Progress was rapid after a real municipal government was

set up in 1874. The Federal census in 1880 recorded the city's population as 2,696.

Ten years before this—in 1870—Laramie had attracted international attention with its first woman jury. This was the original attempt anywhere at women's suffrage. The female jurors earned the praise of Federal judges for their zealous devotion to duty.

In recalling influential persons in Laramie's past, a fellow by the name of Bill Nye is always put high on the list. It was in Laramie, during 1876 to 1883, that he established his reputation as a humorist. Before long "Bill Nye of Laramie" was just about the best known comic writer and lecturer in the United States. Because his fame was always associated with Laramie, the nationwide publicity was priceless.

Gifted by nature with breathtaking mountains, some 800 miles of fishing streams and a hundred lakes teeming with trout, it's not surprising that many tourists are drawn to the area. Elk, deer, antelope, and bear can be hunted with gun or camera, or you can hike through the fascinating surroundings or simply loll around and enjoy the scenery. Numerous free picnic and camping grounds are available, and there are modern hotels and fine tourist courts.

Snowy Range, one of the most beautiful recreation areas in the United States, is but 35 minutes from Laramie. Pole Mountain ski course is only 20 minutes away.

In July there is the annual jubilee and horse races and world champion steer roping contest. And in October there is the square dance festival.

Then, of course, the university is a big attraction to visitors, whether it be from the viewpoint of a tour of the beautiful campus or a good seat when their nationally recognized football and basketball teams are in action. Always strong contenders in the Skyline Conference, their nickname, as you might guess, is "Cowboys."

RECESS TO 9:30 A.M. TOMORROW

Mr. HOLLAND. Mr. President, unless there are Senators who have further business, I move that the Senate recess, in accordance with the unanimous-consent agreement heretofore made, until tomorrow at 9:30 o'clock a.m.

The motion was agreed to; and (at 8 o'clock and 34 minutes p.m.) the Senate recessed, in accordance with the unanimous-consent agreement, until tomorrow, Wednesday, August 10, 1960, at 9:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 9, 1960:

DIPLOMATIC AND FOREIGN SERVICE

Robert Newbegin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Haiti, vice Gerald A. Drew.

Charles R. Burrows, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Honduras, vice Robert Newbegin.

Frederic P. Bartlett, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

EXTENSIONS OF REMARKS

Improving the Outlook for Small Business

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, August 9, 1960

Mr. WILEY. Mr. President, in the weeks ahead, we will be hearing a great deal about what the major political parties—both Democratic and Republican—propose to do for the American people.

Naturally, it is important that Government—guided by its administering officials—do what is necessary to keep the wheels of progress moving forward.

At the same time, however, it is important that we vigilantly maintain a climate of maximum freedom in which the people have opportunity to do all that they can for themselves.

We recognize, of course, that maintaining a strong economy is an important part of our job. The strengthening of our job-creating, free-enterprise system, is fundamental to our economy. Today, there are more than 4.6 million businesses in the country. About 95 percent of these are small businesses.

Recently, I was privileged to discuss over Wisconsin radio stations the opportunity for further improving the small business outlook.

At this time, I ask unanimous consent to have excerpts of my remarks printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The Nation—to combat communism, spur progress, and promote peace—must assure a strong economy. A few of the necessary steps include: Maintaining a sound, noninflationary, money policy—neither too tight nor too loose; plugging loopholes in the tax system; finding new ways to help job-creating business—particularly small ones—to progress; brightening the trade outlook, including efforts to expand exports; and—at the same time—to protect the domestic economy from the adverse impact of imports; encourage greater cooperation between the consumer, business, labor, and government—not only to combat inflation but to promote maximum progress.

FREE ENTERPRISE UNDERGIRDS ECONOMY

We recognize, of course, that our job-creating, free-enterprise system is the foundation of our economy. Throughout the country, there are about 4.6 million firms in business. This is an alltime record; 95 percent of these are small enterprises.

In addition to turning out our "arsenal of defense," these businesses and industries provide our people with the jobs, and goods and services necessary for better living, and for economic progress.

Currently, our output of goods and services—termed the gross national product—has reached an alltime high of over \$500 billion. In addition, the gross national income has zoomed to more than \$400 billion annually.

Unfortunately, it is difficult to relate these gigantic figures to the economic problems in

the daily lives of each of us. However, the steady upward climb of national wealth does reflect meaningfully that the economy as a whole is going forward promisingly.

The fundamental task is to provide a climate of opportunity—for each of us—to reap a proportionate share of the Nation's wealth. This is true for farmers, professionals, businessmen, and folks in all other walks of life.

ROLE OF SMALL BUSINESS IN ECONOMY

On the main streets of America, small business—including more than 110,000 in Wisconsin—in the villages, towns, and cities, are the wellsprings of our economic life. However, further efforts are needed to improve the outlook. Although there are many ways it may be done, any major program, I believe, should include:

1. Providing an opportunity for greater participation in Federal defense and defense procurement programs.

2. Establishment of local development companies to provide financing funds for small businesses—in areas where other adequate financing sources are not available.

3. Efforts by States—as well as small businesses, themselves, to cooperate in providing managerial and technical assistance to small business for resolving problems, improving efficiency, and other tasks that may be too expensive for the small business budget.

4. Further improving the patent system for protection of ideas and systems.

5. Expansion of research providing management aids through voluntary groups and—as necessary—through State and Federal assistance programs.

6. Encouraging labor—management peace, or conversely, preventing strife to minimize costs of labor-management difficulties. Fundamentally, their interests are mutual—not conflicting.

DEVELOPMENT OF SMALL BUSINESS "POOLS"

The development of small business "pools" also is helping to meet some problems that could not otherwise be resolved, such as:

Collect market and research information related to a particular industry for dissemination to participating members;

Construct, acquire, or establish laboratories and other facilities for the conduct of research;

Prosecute applications for patents and render patent services for participating members; as well as

Negotiate and grant licenses under patents held under joint programs.

TAX OUTLOOK

Taxes for individuals as well as business of course, are always a serious matter.

What is the outlook?

As things look now, the great pressures on Uncle Sam's pocketbook—particularly for defense, as well as domestic programs, threaten to increase, rather than diminish.

Consequently, the outlook for immediate, across-the-board tax cuts is dim. However, this would be a good time, I believe, to undertake what has long been needed—and that is, a top-to-bottom overhaul of the tax system.

For this purpose, I have introduced legislation to establish a Hoover-type tax commission. The purpose would be to plug loopholes, iron out inequities, eliminate unintended hardships or benefits, capture revenue that now may be escaping taxation; and make adjustments in the tax structure to reflect the changing needs of the economy, the technological revolution, shifts in the pattern of consumer and national requirements—and other purposes.

In a free enterprise system, it is absolutely essential that tax laws be formulated

to encourage—not limit—economic growth and expansion. In addition, there is a need for simplifying tax reporting—particularly for businesses as well as individuals.

Despite the fact that taxes have been at a substantially high rate, ranging up to 91 percent, however, the economy has progressed in the last 8 years; for example, the gross national product, as I mentioned, has increased 35 percent.

EXPANDING FOREIGN TRADE

There are, of course, opportunities for improving the outlook for job-creating business and industry through expanding trade.

Traditionally, the U.S. market has been the major target for the products of our factories as well as farms. With further improvement of our mass production techniques—for stepping up production—however, we need to look for new horizons. Currently, for example, studies are under way by the Department of Commerce to see what new opportunity exists in the export field. As of now, only a minor portion of firms in Wisconsin—and the United States—have engaged in foreign commerce.

Around the world, however, there are many potential markets. The less-developed countries of Latin America, Africa, and Asia, particularly, offer real prospects for new business opportunity. In effect, they need everything.

How can we take advantage of the emerging opportunities?

First, we need to broaden our horizons; to attempt to find new markets.

Second, expand U.S. and Wisconsin participation in international trade fairs, offering opportunity to locate customers.

Third, utilize services of Department of Commerce—as well as cooperate with other business—to locate and attempt to supply new markets.

PROBLEMS IN EXPORTING

We recognize, of course, that there are difficulties. These include:

Financing the necessary market research.

Competing with goods produced at lower wages and operating costs from other countries.

Acquiring the financing as well as developing the know-how for entering and profiting by participation in foreign trade.

Difficulty of converting foreign currency—earnings or principal—into U.S. dollars.

Problems of complying with national laws as well as local ordinances affecting distribution of goods in other countries; and

Running the risks of expropriation or even confiscation of property in unstable countries where such investments are necessary for market outlets.

Currently, the United States is negotiating with other countries to attempt to resolve a number of these problems. This would mean not only greater health for business and industry, but more jobs for the workers in America.

IMPACT OF IMPORTS

We recognize that trade is a two-way street. Unfortunately, a number of Wisconsin and U.S. firms are now suffering from the impact of imports. We cannot ignore this situation. Instead, a realistic effort must be made to protect U.S. industries—and their workers—from being too hard hit by imports—often produced by lower wage levels and operating expenses.

Recently, I joined in cosponsoring legislation to establish a special committee to study the impact of imports on domestic industries. The purpose would be—by a clear and objective study and survey by competent

persons—to determine the necessary steps to provide protection for domestic industries. Also the committee would see what could be done by enterprising exploration and official negotiations to improve the opportunity for new markets in other countries.

After the recess, I believe that Congress should take speedy action to set up this committee. In the interests of the overall economy, we cannot too long endure losses by domestic firms—which affects not only firms but our workers and the overall economy.

CONCLUSION

This, then, is a brief review of a few of the problems involved in further strengthening our economy.

Again, I want to stress that, as one sector advances, the whole economy is benefited; conversely, as any segment suffers, so does the whole economy—not only in terms of loss of business and industrial activity, but in jobs for the workers of the country.

Needed: New Study To Expand Trade and Commerce Through St. Lawrence Seaway

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Tuesday, August 9, 1960

Mr. WILEY. Mr. President, the St. Lawrence Seaway—completed in 1959—offers new, untested opportunity for expanded trade and commerce. The challenge now is to take full advantage of the great potential.

As a sponsor of the original Seaway law, Public Law 358, of the 83d Congress, I am particularly concerned with assuring that (a) the Seaway fulfills its full potential in terms of market opportunity for Wisconsin, and the great agricultural-industrial complex of the upper Midwest; and (b) that it pays off the costs of operation and construction—a \$140 million investment by the American people.

A comprehensive review, and exploitation of, the potential is absolutely essential—if the Seaway is to fulfill these objectives.

Recently, I contacted the Secretary of Commerce to urge that a comprehensive study be undertaken by the Department of Commerce aiming toward improving and expanding trade and commerce through the St. Lawrence Seaway. I ask unanimous consent to have the text of my letter to Secretary Mueller urging such a study printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR MR. SECRETARY: I am writing to respectfully urge that a comprehensive study be undertaken by the Department of Commerce, aimed toward improving and expanding trade and commerce through the St. Lawrence Seaway.

As you well appreciate, the Seaway, completed in 1959, offers new commercial opportunities for the agricultural-industrial complex of the upper Midwest—the greatest in the world and the whole Nation.

The challenge, now, is to take full advantage of these new opportunities.

We recognize, of course, that the search for markets, rerouting of trade, changing of trade patterns—these, and other complex innovations—cannot be done overnight.

However, I believe that a comprehensive study—covering the whole scope of possibilities for expanding trade, commerce, and tourist traffic, through the Seaway, would help tremendously in benefiting the economy, providing new opportunities for the farms and factories of America to transport their products to new markets; strengthen and improve trade relations with other countries; assure that tolls from the operation of the Seaway—as provided by law—will support the costs of operation, as well as pay off the debt of construction.

Naturally, you are in the best position to determine the scope of such a study. In my humble opinion, however, I believe that any such survey should cover such fields as: A review of potential markets for U.S.-produced products, transportable through the Seaway; providing information on the Seaway to foreign and domestic shippers; encouraging a greater flow of tourists, to, and through, the Seaway; explore for new ways and means to increase interest in utilizing the Seaway by shippers and producers, as well as consumers abroad and elsewhere in the United States.

As we recall, the Grace Line recently received permission from the Maritime Board to withdraw its vessels from the Great Lakes-Caribbean service route. Generally, I believe this marks a setback for Seaway traffic—at a time when it should be expanding in an uninterrupted way.

In carrying out such a study, it would appear that the services of the St. Lawrence Seaway Development Corporation, itself, as well as your own Department—could make invaluable contributions to providing data and information—and perhaps new trade policy recommendations—to assure maximum utilization of the potential of the St. Lawrence Seaway.

I sincerely hope, therefore, that you will find it possible to initiate such a study in the near future.

Sincerely,

ALEXANDER WILEY.

SENATE

WEDNESDAY, AUGUST 10, 1960

(Legislative day of Tuesday, August 9, 1960)

The Senate met in executive session at 9:30 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Rev. Gordon Powell, M.A., B.D., minister, St. Stephen's Presbyterian Church, Sydney, Australia, offered the following prayer:

So long Thy power hath blessed us, sure it still will lead us on, O God.

Remembering that our decisions this day could affect the lives of millions of people right round the world, we turn to Thee for wisdom to know what is right, courage to do it, and perseverance to continue to the end.

Take from our souls the strain and stress, and let our ordered lives confess the beauty of Thy peace.

Help us to pray more and worry less, to remember that worry paralyzes thinking and consumes our resources. Set us free from fear that distorts the truth, warps the judgment, and weakens the will.

In a moment of silent prayer we would pause to realize Thy presence, and hand over to Thee our burdens of spirit, mind, and body—all anxiety and sorrow, all sin and guilt and fear, all tension. We relax in the Lord, we let go and let God.

We thank Thee for Thy peace, O God; for this inner spiritual peace and for freedom from war.

We thank Thee, our Father, for the small nations which in days of war were preserved by the strength and sacrifice of the United States, and we thank Thee for all the nations which have been given hope and courage through the difficult years.

May this great Nation ever be the champion of the weak and the oppressed, holding aloft the beacon of liberty and faith, ever finding true greatness not in the selfish use of power and possessions, but in the dedication of its power and possessions to the building of a better world for all.

When days are dark, steady us with the faith that the Lord reigneth. This is Thy universe and Thou art working Thy purpose out. May Thy kingdom come because of us and not in spite of us.

So, O God, we thank Thee for the opportunity to serve Thee in this place.

We believe Thou wilt grant the grace that is sufficient for our every need; through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 9, 1960, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON ACTIVITIES UNDER PUBLIC LAW 480, 83D CONGRESS—MESSAGE FROM THE PRESIDENT

THE VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am transmitting herewith the 12th semiannual report on activities carried